

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 17862, for relief of Leonard Tressel; to the Committee on Invalid Pensions.

By Mr. CHARLES: Memorial of Trades Assembly of Schenectady, N. Y., against compulsory arbitration; to the Committee on Labor.

Also, memorial of Local Union 347 and Central District Council of Brotherhood of Electric Workers and of the Trades Assembly of Schenectady, N. Y., against exportation of food-stuffs by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: Resolution by General Winn Parlor, Native Sons of the Golden West, No. 32, of Antioch, Cal., protesting against the destruction of Silver Lake Falls and the Falls of Lee Vining Creek, at the eastern gateway of the Yosemite Valley, by certain power companies owned and controlled in the State of Colorado, under permits obtained from the Government; to the Committee on the Public Lands.

By Mr. GREENE: Petition of James Mott and other employees of the maintenance of way department of American railways, favoring eight hours a day; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Memorial of Northern New York Development League, favoring the Webb bill, House bill 16707, to promote export trade; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: Petition of Charles Ballard and 24 other railroad employees, of Roodhouse, Ill., for an eight-hour day; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of employees of the maintenance of way department of American railways, favoring eight hours a day; to the Committee on Interstate and Foreign Commerce.

By Mr. SULLOWAY: Petition of John McKiel and other citizens of New Hampshire, favoring passage of an eight-hour law for all railway employees; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, December 6, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to so order those unseen forces that give direction to the currents of human thought that our deliberations may be found to accord with the divine plan. Within the sphere of our human responsibility do Thou give to us Thy Spirit for guidance, and above all the measure of our thinking or asking may we be surrounded by Thy providence and grace. Forbid that anything should go out of this Chamber that would influence for evil the thoughts of the people. Grant that we may realize the far-reaching influence of every word and act, that being ordered by the Lord in all our deliberations we may be enabled to perpetuate the glorious institutions that have come from Thy hand through the currents of our history. Guide us in the thought and work of this day. For Christ's sake. Amen.

HENRY A. DU PONT, a Senator from the State of Delaware; WESLEY L. JONES, a Senator from the State of Washington; JAMES D. PHELAN, a Senator from the State of California; and WILLIAM ALDEN SMITH, a Senator from the State of Michigan, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM VIRGINIA.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Virginia certifying that CLAUDE A. SWANSON has been duly chosen a Senator to represent that State in the Senate of the United States for the term of six years, beginning March 4, 1917, which will be read.

The certificate was read and ordered to be placed on the files of the Senate, as follows:

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1916, CLAUDE A. SWANSON was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1917.

Witness: His excellency our Governor H. C. Stuart, and our seal hereto affixed at Richmond, this 27th day of November, A. D. 1916.

H. C. STUART, Governor.

By the Governor:

B. O. JAMES,
Secretary of the Commonwealth.

ANNUAL REPORT OF THE SECRETARY OF THE TREASURY (H. DOC. NO. 1431).

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury for the fiscal year ended June 30, 1916, which was referred to the Committee on Finance and ordered to be printed.

UNITED STATES COURT OF CUSTOMS APPEALS (H. DOC. NO. 1419).

The VICE PRESIDENT laid before the Senate a communication from the Acting Attorney General, transmitting, pursuant to law, a statement of expenditure of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1916, which was referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF SERGEANT AT ARMS.

The VICE PRESIDENT laid before the Senate a communication from the Sergeant at Arms, submitting a full and complete account of all the property in his possession and in the Senate Office Building belonging to the United States (S. Doc. No. 558), which, with the accompanying paper, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Sergeant at Arms, submitting a detailed statement of waste paper and condemned property sold since December 6, 1915 (S. Doc. No. 561), which was ordered to lie on the table and be printed.

DISPOSITION OF PAPERS IN AGRICULTURE DEPARTMENT (H. DOC. NO. 1720).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, relative to the disposition of useless and waste papers in his department, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE (H. DOC. NO. 1435).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of the manner in which the appropriation for "Miscellaneous expenses, Department of Agriculture," for the fiscal year 1916, has been expended, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EXPENDITURES, DEPARTMENT OF AGRICULTURE (H. DOC. NO. 1439).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1916, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF CHEMISTRY (H. DOC. NO. 1421).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of all sums paid by the Bureau of Chemistry for compensation of or payment of expenses to officers or other persons employed by State, county, or municipal governments during the fiscal year ended June 30, 1916, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PURCHASE OF TIMBER.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement of moneys received and contributions toward cooperative work in forest investigations or the protection and improvement of national forests and the sums refunded to depositors on account of excess deposits in connection with the purchase of timber and use of lands or resources of the national forests, etc., during the fiscal year ended June 30, 1916, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PURCHASE OF SEEDS (H. DOC. NO. 1420).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the place, quantity, and price of seeds purchased during the fiscal year 1916, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MARITIME CANAL CO. OF NICARAGUA (H. DOC. NO. 1428).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the operations of the Maritime Canal Co. of Nicaragua, which, with the accompanying paper, was

referred to the Committee on Interoceanic Canals and ordered to be printed.

SUPPORT OF AGRICULTURAL COLLEGES (H. DOC. NO. 1719).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the disbursements for the fiscal year ended June 30, 1916, made in States and Territories for the endowment and support of colleges for the benefit of agriculture and the mechanic arts, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

SHOSHONE AND WIND RIVER RESERVATIONS (H. DOC. NO. 1478).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, plans and estimates of the character and cost of structures necessary for completing the irrigation of lands of the Shoshone and Wind River Reservations, in the State of Wyoming, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

BOARD OF ORDNANCE AND FORTIFICATION (H. DOC. NO. 1375).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the twenty-sixth annual report of the Board of Ordnance and Fortification for the fiscal year 1916, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MILITARY LAWS (S. DOC. NO. 560).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a report of the progress of the revision and codification of the military laws of the United States, which was referred to the Committee on Military Affairs and ordered to be printed.

TRAVEL OF EMPLOYEES OF WAR DEPARTMENT (H. DOC. NO. 1517).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement showing the travel by officers and employees of the War Department on official business from Washington to points outside the District of Columbia, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TRAVEL OF EMPLOYEES OF LIBRARY OF CONGRESS (H. DOC. NO. 1472).

The VICE PRESIDENT laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a statement showing the travel by officers or employees of the Library of Congress on official business from Washington to points outside the District of Columbia during the fiscal year 1916, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of the Library Building and Grounds, transmitting, pursuant to law, a statement showing the travel taken by himself on official business from Washington to points outside the District of Columbia during the fiscal year 1916 (H. Doc. No. 1518), which was referred to the Committee on Appropriations and ordered to be printed.

PURCHASE OF TYPEWRITERS (H. DOC. NO. 1423).

The VICE PRESIDENT laid before the Senate a communication from the Superintendent of the Library Building and Grounds, transmitting, pursuant to law, a statement showing the number of typewriters purchased during the fiscal year 1916, which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, a statement showing the number of typewriters, adding machines, and other labor-saving devices purchased by the Civil Service Commission during the fiscal year 1916 (H. Doc. No. 1443), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

DISTRICT EXCISE BOARD (H. DOC. NO. 1424).

The VICE PRESIDENT laid before the Senate the annual report of the excise board of the District of Columbia for the fiscal year ended June 30, 1916, which was referred to the Committee on the District of Columbia and ordered to be printed.

LIST OF JUDGMENTS (H. DOC. NO. 1473).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to law, a statement of all judgments rendered by the Court of Claims for the year ended December 2, 1916, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying

paper, was referred to the Committee on Claims and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the chief clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

City of Newport, Ky., *v. The United States* (S. Doc. No. 562);
 Richard Tobin, administrator of Dennis W. Haley, deceased, *v. The United States* (S. Doc. No. 563);
 Elizabeth Magruder, niece of Alexander Magruder, deceased, *v. The United States* (S. Doc. No. 564);
 Ellen Baker, widow of Charles Baker, deceased, *v. The United States* (S. Doc. No. 565);
 James Ballard, son of James Ballard, deceased, *v. The United States* (S. Doc. No. 566);
 Charles H. Bates, son and one of the heirs of Howard S. Bates *v. The United States* (S. Doc. No. 567);
 N. J. Whiteside, guardian of the minor heir of Buckner Board, deceased, *v. The United States* (S. Doc. No. 568);
 Sarah M. Benham, widow of De Witt C. Benham, deceased, *v. The United States* (S. Doc. No. 569);
 Emma V. Schlosser, daughter and sole heir of Lafayette Bingham, deceased, *v. The United States* (S. Doc. No. 570);
 Libbie J. B. Stephenson, daughter of Edward V. Bowers, deceased, *v. The United States* (S. Doc. No. 571);
 Amelia M. Buck, widow of E. M. Buck, deceased, *v. The United States* (S. Doc. No. 572);
 Rodolphus D. Campbell et al., sole heirs of Ohn M. Campbell, deceased, *v. The United States* (S. Doc. No. 573);
 Ellen R. Compton, widow of Spencer P. Compton, deceased, *v. The United States* (S. Doc. No. 574);
 Barney H. Dyckman, son of Barney H. Dyckman, deceased, *v. The United States* (S. Doc. No. 575);
 Walter S. Easton, son and one of the heirs of John M. Easton, deceased, *v. The United States* (S. Doc. No. 576);
 Joseph W. Fulton and Robert Fulton, sons of Joseph W. Fulton, deceased, *v. The United States* (S. Doc. No. 577);
 Rebecca H. Gaskill, widow of Edward Gaskill, deceased, *v. The United States* (S. Doc. No. 578);
 Margaret Gustin, widow of John G. Gustin, deceased, *v. The United States* (S. Doc. No. 579);
 Elizabeth Herold, widow of Herman Herold, deceased, *v. The United States* (S. Doc. No. 580);
 Minnie L. Hewitt, widow of Sylvester M. Hewitt, *v. The United States* (S. Doc. No. 581);
 Mary E. Hoyt, widow of John J. Hoyt, deceased, *v. The United States* (S. Doc. No. 582);
 Grace L. Edmonds, daughter of Charles H. Hurlbut, deceased, *v. The United States* (S. Doc. No. 583);
 Frances C. Huston, widow of Joseph W. Huston, deceased, *v. The United States* (S. Doc. No. 584);
 Laura E. Sears et al., sole heirs of Henry B. Keefer, deceased, *v. The United States* (S. Doc. No. 585);
 Elizabeth L. Larrabee, widow of Charles H. Larrabee, deceased, *v. The United States* (S. Doc. No. 586);
 R. P. Crider, nephew of John L. Lee, deceased, *v. The United States* (S. Doc. No. 587);
 Ada G. Joslin, daughter of John F. Lewis, deceased, *v. The United States* (S. Doc. No. 588);
 William H. Pierce, son and sole heir of Edward R. Pierce, deceased, *v. The United States* (S. Doc. No. 589);
 Elizabeth F. Plumb, widow of Joseph C. Plumb, deceased, *v. The United States* (S. Doc. No. 590);
 Catherine A. Rhodes, widow of John G. Rhodes, deceased, *v. The United States* (S. Doc. No. 591);
 Mary Roberts, widow of Jesse Roberts, deceased, *v. The United States* (S. Doc. No. 592);
 Emma Bowers, daughter of Christian Schreinder, deceased, *v. The United States* (S. Doc. No. 593);
 Amelia M. Smith, widow of George S. Smith, deceased, *v. The United States* (S. Doc. No. 594);
 Catherine Snow, widow of Henry E. Snow, deceased, *v. The United States* (S. Doc. No. 595);
 Cary F. Spence, executor of John F. Spence, deceased, *v. The United States* (S. Doc. No. 596);
 Olive J. Pierce, daughter, and Minnie T. Maxon, granddaughter, and sole heirs of James A. Taylor, deceased, *v. The United States* (S. Doc. No. 597);
 Ralph W. Tucker, son and heir of Burwell S. Tucker, deceased, *v. The United States* (S. Doc. No. 598);
 Eckford W. Tyler, son and sole heir of Levi E. Tyler, deceased, *v. The United States* (S. Doc. No. 599);

Eva M. Van Pelt, widow of William D. Van Pelt, deceased, *v. The United States* (S. Doc. No. 600);

Nettie F. Westley, widow of Joseph Westley, deceased, *v. The United States* (S. Doc. No. 601);

Attie L. Gill et al., sole heirs of William Wilcox, deceased, *v. The United States* (S. Doc. No. 602);

Charles W. Wilkes, Ida L. Pflanz, et al., sole heirs of Perry Wilkes, deceased, *v. The United States* (S. Doc. No. 603);

Hulda Willis, widow of William W. Willis, deceased, *v. The United States* (S. Doc. No. 604);

Eliza M. Wilson, widow of Joseph S. Wilson, deceased, *v. The United States* (S. Doc. No. 605);

Austin P. Wilson, brother of William C. Wilson, deceased, *v. The United States* (S. Doc. No. 606);

George E. Hibner, administrator of William W. Wilson, deceased, *v. The United States* (S. Doc. No. 607);

Cora V. Graves and Edwin R. Wynne, children of Isaac C. Wynne, deceased, *v. The United States* (S. Doc. No. 608);

Mary L. Barlow, daughter of Augustus C. Barlow, deceased, *v. The United States* (S. Doc. No. 609);

Louise Behlen, widow of Charles Behlen, deceased, *v. The United States* (S. Doc. No. 610);

Willis W. Bullington, son of William H. Bullington, deceased, *v. The United States* (S. Doc. No. 611);

Ray B. Miller, grandson and sole heir of Augustus S. Bement, deceased, *v. The United States* (S. Doc. No. 612);

Mary E. Neumann, executrix of Jacob Brand, deceased, *v. The United States* (S. Doc. No. 613);

William A. Bird, son of William A. Bird, deceased, *v. The United States* (S. Doc. No. 614);

Emily S. Beale, widow of J. Franklin Beale, deceased, *v. The United States* (S. Doc. No. 615);

Sherwood C. Cummings, son and sole heir of Philip C. Cummings, deceased, *v. The United States* (S. Doc. No. 616);

W. Wirt Crawford and Adell Crawford Dilmore, children and sole heirs of De Witt C. Crawford, deceased, *v. The United States* (S. Doc. No. 617);

Alicia Coventry, widow of John Coventry, deceased, *v. The United States* (S. Doc. No. 618);

Ethel I. Corby, daughter of Wesley B. Corby, deceased, *v. The United States* (S. Doc. No. 619);

Frances E. Donnelly, widow of Thomas Donnelly, deceased, *v. The United States* (S. Doc. No. 620);

Frankie M. Esmond, widow of Friend S. Esmond, deceased, *v. The United States* (S. Doc. No. 621);

John P. Frederick *v. The United States* (S. Doc. No. 622);

S. Elizabeth Green et al., children and sole heirs of Jacob Green, deceased, *v. The United States* (S. Doc. No. 623);

William F. Garlick, son of Reuben L. Garlick, deceased, *v. The United States* (S. Doc. No. 624);

Ruth Baugh, daughter of James S. Grubbs, deceased, *v. The United States* (S. Doc. No. 625);

Annie E. Hill, widow of James H. Hill, deceased, *v. The United States* (S. Doc. No. 626);

Lottie Holsted, daughter of David M. Holsted, deceased, *v. The United States* (S. Doc. No. 627);

George E. Hitchcock, son of Henry Hitchcock, deceased, *v. The United States* (S. Doc. No. 628);

Paul D. Haynes, son of George A. Haynes, deceased, *v. The United States* (S. Doc. No. 629);

Mollie B. Mason, daughter of Walter C. Hurlbut, deceased, *v. The United States* (S. Doc. No. 630);

Willis E. Johnson, son of Edward S. Johnson, deceased, *v. The United States* (S. Doc. No. 631);

Alice P. Knight, widow of Joseph Knight, deceased, *v. The United States* (S. Doc. No. 632);

John M. Morrow, son of John K. Morrow, deceased, *v. The United States* (S. Doc. No. 633);

Emma C. Pierce, mother and natural guardian of minor heirs of Alanson Pierce, deceased, *v. The United States* (S. Doc. No. 634);

Elizabeth M. Smith, daughter and sole heir of William Z. Smith, deceased, *v. The United States* (S. Doc. No. 635);

M. Fillmore Brown, administrator of Robert Brown, deceased, *v. The United States* (S. Doc. No. 636); and

Caroline B. Bailey, daughter of Cyrus P. Bailey, deceased, *v. The United States* (S. Doc. No. 637).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PAGE presented a petition of Bellevue Chapter, Daughters of the American Revolution, of St. Albans, Vt., praying that the Government of the United States purchase "Monti-

cello," the home of Thomas Jefferson, which was referred to the Committee on the Library.

Mr. WADSWORTH presented petitions of the congregations of the Baptist Church and the Presbyterian Church and of the Tourist Club, of Waverly, all in the State of New York, praying for the establishment of a national leprosarium, which were referred to the Committee on Public Health and National Quarantine.

He also presented petitions of the Trades Assembly; of Local Union No. 247, International Brotherhood of Electrical Workers; and of Central New York District Council, International Brotherhood of Electrical Workers, all of Schenectady, in the State of New York, praying for the placing of an embargo on food products, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New York City, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Trades Assembly of Schenectady, N. Y., remonstrating against the enactment of legislation to provide for compulsory arbitration of industrial disputes, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of Kingston, N. Y., praying for the enactment of legislation to extend the authority of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

RAILWAY EMPLOYEES.

Mr. NEWLANDS. Mr. President, I wish to present petitions of some 300,000 men employed on the railroads in other than the service of the trains, praying for specific legislation. I ask that the letter addressed to me by the committee having the petitions in charge and the brief appeals of the so-called 80 per cent of the railway employees outside of the train service be read by the Secretary.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read.

The Secretary read as follows:

WASHINGTON, D. C., December 5, 1916.

Hon. FRANCIS G. NEWLANDS,
United States Senate, Washington.

SIR: We have the honor to address you on a matter of present interest and national importance—wage regulation for employees of interstate carriers by the Congress of the United States.

There has seldom been a time in the affairs of the Nation when a matter of such gravity and latent danger has confronted the Federal Government.

By those whom we represent it is not believed to be within the province of the Government of the United States to regulate the wages of men engaged in any of our great industries, for such regulation operates to deprive the laborer of the right to bargain with his employer for the service he sells. However, the Congress has taken upon itself the burden of regulating wages for some of the men engaged in the transportation service, and we submit that it should likewise legislate equitably for all men so engaged. Therefore we appeal to you to present to the Senate the accompanying petitions of those railway employees who are not included in the provisions of legislation heretofore enacted.

These petitions, signed by such of this class of employees as have had the opportunity, some 300,000 in number, citizens of 35 States, pray—

First. That provision be made for a thorough investigation by a duly appointed commission of all hours of service and wages of all railway employees;

Second. That after such investigation said commission be empowered to fix an equitable scale of wages for all such employees; and

Third. That in order to prevent destructive and ruinous interruptions of interstate commerce provision be made, binding alike upon employer and employee, for compulsory arbitration of all disputes involving the question of wages and hours of service.

Trusting that these prayers, which we believe are fair, just, and in the interest of the Nation as a whole, will receive the favorable consideration of the Congress, we are, sir,

Very respectfully,

ROBERT T. FRAZIER, Jr.,
*Chairman, Engineering Department, Nashville,
Chattanooga & St. Louis Railway, Nashville, Tenn.,*

B. W. WALDEN,
*Accounting Department, Chicago & Alton
Railroad, Chicago, Ill.,*

O. H. RADDATZ,
*Accounting Department, Great Northern
Railway, St. Paul, Minn.,*

FRANK M. MCCABE,
*Telegraph Department, Northern Pacific
Railway, St. Paul, Minn.,*

Committee Railway Employees' 80 Per Cent Movement.

List of States represented in the petitions of the railway employees' 80 per cent movement:

Alabama, Arkansas, Arizona, California, Delaware, Georgia, Illinois, Indiana, Iowa, Idaho, Kentucky, Kansas, Louisiana, Michigan, Maryland, Minnesota, Missouri, Montana, Massachusetts, New York, New Jersey, New Mexico, Nebraska, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Washington, Wisconsin, and Wyoming.

Mr. NEWLANDS. Mr. President, I ask also that the headings of the petitions be read by the Secretary, the petitions now being at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The SECRETARY. The title of one of the petitions is as follows:

AN APPEAL OF THE 80 PER CENT.

We, the undersigned citizens of the State of ———, employees of the ——— Railroad, and among those comprising more than 80 per cent of the employees of the railways of our State and country, being confronted with the possibility of the entire paralyzation of the railways of the country by the proposed general strike of the four orders of trainmen, a group of less than 20 per cent of the entire number of railway employees, and the consequent curtailment of income to us, the more than 80 per cent, and to whom such a curtailment would be ruinous, and fully realizing that under this great Government, where the ruling doctrine is "The greatest good to the greatest number"; we, the large majority, more than 80 per cent, of the people to be directly injured by such destructive methods of the few who happen to be placed in a position where they can use them—having a clear and definite right to be protected (the general public and all other industries seriously endangered also having that right):

Do earnestly petition you, our Senators and Representatives, individually, and as the Congress of the Nation, and pray that some definite legislative action be taken whereby the vast majority of the people of the country shall be protected from a destructive interruption of interstate commerce, due wholly to selfish action of a small group of men, and all differences which may arise between railways and employees shall be settled by proper arbitration.

In this you will recognize the fundamental principle of the Republic, and that no group of men ought to be permitted, directly or indirectly, to conspire to an end calculated to benefit them only and, directly or indirectly, work wrong and loss upon the great majority.

The second petition is as follows:

Date blank—

Mr. STONE. I should like to have the names read.

Mr. NEWLANDS. I will state to the Senator from Missouri that this is simply the heading of the petition.

Mr. GALLINGER. The Senator can not be heard on this side. Some of us here really do not know what is going on.

Mr. NEWLANDS. I will simply state that the headings which are now being read by the Secretary are the headings signed by these petitioners. I am told that there are about 300,000 names in the petitions, but the general statement which they signed is contained in the two papers which are about to be read by the Secretary.

Mr. STONE. Yet to be read?

Mr. NEWLANDS. One has been read and the other is about to be read. So if the Senator should require the names of the petitioners to be read it would mean the reading of 300,000 names.

Mr. STONE. When I made the suggestion I supposed that there were certain names of representatives, of gentlemen who were presenting the petitions.

Mr. NEWLANDS. I will state to the Senator that I was called upon yesterday by a committee representing the so-called 80 per cent of railway employees, being that proportion of the railway employees who are not engaged in the actual operation of trains, and I suggested to them that they should send me a formal letter which I could present to the Senate of the United States in presenting their petition. That formal letter, signed by the committee, has already been read and will appear in the RECORD.

Mr. STONE. Let the Secretary proceed.

The SECRETARY. The second form of petition is as follows:

To the President and the Congress of the United States:

We, the undersigned, citizens of the State of ———, are employed by the ——— Railroad, which is engaged in handling interstate transportation of every character, including the United States mails and men and munitions for the Army and Navy of the United States.

We are among the 80 per cent of the employees of said company who are not actually engaged in train or yard service.

The average compensation of this 80 per cent of the employees is less than half the average compensation of those engaged in the train and yard service.

Many of us have more hours of service than do the train and yard men and the work which most of us perform is more laborious than their work. Equal or greater skill—acquired through a longer period of training—is required for the performance of the work of many of us than is necessary to do the work of the train and yard employees.

On September 2, 1916, the Congress enacted a law which was, on the following day, approved by the President which will have the effect of increasing the wages of train and yard service men about 25 per cent without in any way protecting the 80 per cent. When this law becomes effective—on January 1, 1917—the chances for betterment of the condition of the 80 per cent will be diminished by reason of the great tax upon the revenues of the railroads in paying this 25 per cent increase to the train and yard service employees.

We appeal to you to enact a system of legislation that will provide for a thorough investigation, through a commission, of the wages paid by railroads engaged in interstate commerce, which will empower said commission or board, after such investigation, to fix equitable scales of wages for the employees of such railroads, and which will further provide, in order to prevent destructive and ruinous strikes, for compulsory arbitration of all questions relating to conditions of work, hours of service, and wages.

NAME.	BRANCH OF SERVICE.
_____	_____
_____	_____
_____	_____

Mr. STONE. Mr. President, the first paper read was signed by several men whose titles were given as representing some organizations. The first one represented, as I caught the reading, is an organization described as the "engineering department." I should like to ask the Senator what is the engineering department?

Mr. NEWLANDS. I will examine the letter and will then answer the Senator's question. [Examining.] I understand that this letter is signed by men who represent organizations. It is a committee of the railway employees' 80-per-cent movement, and it consists of Robert T. Frazier, chairman, who belongs to the engineering department of the Nashville, Chattanooga & St. Louis Railway, Nashville, Tenn.

Mr. STONE. That brings the Senator to the point of my inquiry.

Mr. NEWLANDS. One of these men represents the engineering department.

Mr. STONE. What is that?

Mr. NEWLANDS. I presume it is the engineering department of this railroad.

Mr. STONE. Does the Senator mean locomotive engineers?

Mr. NEWLANDS. No; I think not. Another is the representative of the accounting department of the Chicago & Alton Railway; another is the representative of the accounting department of the Great Northern Railway; and another is the representative of the telegraph department of the Northern Pacific Railway.

Mr. STONE. The Senate heard all that read. The Senator from Nevada, then, can not tell me just what is meant by the term "engineering department"?

Mr. NEWLANDS. I understand it to mean, not the engineers who are engaged in operating trains but that branch of every railway system that has charge of the engineering problems of the railway.

Mr. OVERMAN. The civil engineers.

Mr. STONE. Civil engineers?

Mr. NEWLANDS. Yes; civil engineers and construction engineers.

Mr. STONE. The construction engineers?

Mr. NEWLANDS. And so forth; yes.

Mr. STONE. I desire to be informed about that. Do the men who sign this paper represent any organization of men employed by railroads?

Mr. NEWLANDS. I am not accurately informed regarding that, but my impression is that the men who signed these petitions are not organized as are the railway brotherhoods.

Mr. STONE. Was the Senator from Nevada visited by the representatives of these petitioners?

Mr. NEWLANDS. The men who signed this letter called upon me yesterday and stated that they had petitions bearing the signatures of 300,000 employees of railway companies outside of the operation of trains and yards and that they desired to present these petitions to the United States Senate.

Mr. STONE. Did the Senator understand that these 300,000 men were antagonizing the so-called brotherhoods in their controversies with the executives of the railroads?

Mr. NEWLANDS. I think the main object—

Mr. SUTHERLAND. I hope Senators will speak a little louder. It is impossible to hear this interesting colloquy on this side of the Chamber.

Mr. NEWLANDS. I think the main object, as shown by their letter, is to get relief for the remaining 80 per cent of the employees of the railroads, and that in presenting the petition for investigation and legislation they do complain that a preference is being given to the members of the railway brotherhoods. To that extent they seem to be opposed to the legislation which has been adopted.

Mr. STONE. Of course I do not now, Mr. President, enter upon that question. That is a question which was more or less debated in the last session, the contention being made by Senators upon the floor that the so-called Adamson bill, then pending, was intended to promote the interests of certain classes of railway employees to the exclusion of a larger class. The railroad executives themselves in their contention here at Washington presented the same view. I have not in mind at all to enter upon any discussion of that question. I simply wanted to get the information the Senator might have from his conferences with these gentlemen as to their attitude, just whom they represent, how it was brought about, what influence instigated this movement at this particular time, and whether it was a movement antagonistic to legislation already enacted and that which is pending.

Of course we know, Mr. President, that there are influences—powerful influences, to be more specific, as I have no objection to being—at work, and that the executives of many—not all, but many—of the great railroads of the country are arrayed

against any legislation along the lines of that we have been considering. I merely wanted to find out if I could just what influences were operating at this moment, if the Senator knows—and I should imagine he knew, for he is a very acute Senator; he is considering this subject and is in consultation with these men—and the Senate and the country, particularly the Senate, ought to be advised as to just what it is we are now confronting.

Mr. NEWLANDS. Mr. President, I am not informed as to what influences are back of this movement. While I was greatly occupied I had a brief interview, lasting only a few moments, with this committee, and they requested me to present the petition of these employees. I thought it my duty to present it, just as I would have presented a petition of the brotherhoods or of organized labor for the consideration of the Senate, if requested so to do. I have no doubt that for some period of time this movement has progressed for obtaining the signatures. The number of the signatures, some 300,000 I am told, would indicate that.

As to the general character of the movement I do not understand that it is a protest against beneficial action in favor of the members of the railway brotherhoods. It is rather a protest against preferential action and an insistence that, whilst the claims of the highly-paid operatives of the railroads are being considered by Congress, the claims of those not so fortunate should also be considered. I thought it a proper request to make of me and so I presented the petition.

Mr. GALLINGER. Mr. President, will the Senator permit a question?

Mr. NEWLANDS. Yes.

Mr. GALLINGER. The Senator will remember that when the bill which was passed near the close of the last session was under consideration, some of us suggested that it was incomprehensible to us that legislation affecting a small proportion of the men engaged in railroad pursuits, increasing their wages, should not be followed by a request for legislation affecting the wages of the million or two millions of men who were engaged in railroad work and getting much lower wages. Now, is not this simply a movement on the part of those men, which some of us anticipated would follow, and which, I think properly follows, to have their cases considered by a commission and a report made as to the proper adjustment of wages, so far as they are concerned? It does not seem to me that this can possibly emanate from the managers of the railroads as has been suggested, but from the men who are getting relatively low wages in the employment of these railroads. Is not that the fact?

Mr. NEWLANDS. Well, I do not know, Mr. President, where it emanates from. All I know is that the signatures of some 300,000 men employed by the railroads are presented through a petition asking Congress to investigate and give them relief—

Mr. GALLINGER. Precisely.

Mr. NEWLANDS. And that their action is in a measure a protest against what they regard as preferential legislation. I ask, Mr. President—

Mr. GALLINGER. I will ask if the petition headings submitted by the Senator from Nevada have been read, because I have a very brief statement which I desire to have read.

Mr. NEWLANDS. I wish to ask that the petitions presented by me be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. In the absence of objection, that reference will be made.

Mr. GALLINGER. Mr. President, I have a petition which came in the mail to-day from employees in the maintenance of way department of American railways—whatever that means—in which they represent that they are associated with 400,000 railroad employees who are underpaid, and they petition for relief. I ask that the heading of that petition be read. It is signed by 51 men in the city of Nashua, N. H.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

To the honorable the Members of the Senate and House of Representatives in the United States Congress assembled, greeting:

We, the undersigned voters and employees in the maintenance of way department of American railways, do respectfully petition your honorable body to include the employees in our department in the workings of the eight-hour day. We respectfully submit for your consideration the following facts:

First. That the number of employees affected are in excess of 400,000. Second. That our work is of a most strenuous nature—rough, dirty, and laborious—and has to be performed often under the most unfavorable conditions, in heat and cold, winter and summer, rain or shine, our men are exposed to all kinds of inclement weather conditions by night and day, as we are subject to a call at any time, and in case of severe storm we are expected to go on duty without a call except as our experience shall dictate that same is necessary to preserve intact the tracks and bridges, for the safety of which we are held responsible.

Third. That at certain times, owing to the strenuous nature of our employment, men are often physically unable to stand the strain, and as a consequence in a few years are broken in health and unable to continue longer at this work.

Fourth. For the preservation of health and prolongation of life, aside from any pecuniary consideration, we deem an eight-hour day an actual necessity.

Fifth. At the present time, although we must serve an apprenticeship of from three to seven years to become proficient in the trade to earn a foreman's position, our department is one of the poorest paid in the entire service, while our duties and responsibilities are among the most exacting.

Wherefore we pray you to give our petition consideration and grant us the relief we so earnestly desire.

L. V. BARRETT
(And 51 others).

Mr. LANE. Mr. President, I should like to ask Senators who have presented these petitions if the gentlemen who have signed the petitions have asked for relief from the companies by whom they are employed? Do Senators know whether or not they have made such requests?

Mr. NEWLANDS. Mr. President, I do not know. I only had a brief interview with them. They asked me to present this petition, and I have done so.

Mr. LANE. It would be a matter of information to know whether they had first applied to Congress or to their employers.

Mr. NEWLANDS. As to that I am not informed.

EMBARGO ON FOOD PRODUCTS.

Mr. FLETCHER. Mr. President, in the RECORD of the proceedings of yesterday, on page 13, it appears that I presented a petition of sundry citizens of Jackson County, Fla. The statement is that the petition prayed for the placing of an embargo on food products. That is a mistake. The petition, on the contrary, urged opposition to such an embargo. I desire to have printed in the RECORD a letter which accompanied the petition, and which will explain it.

The VICE PRESIDENT. In the absence of objection, that may be done.

The letter referred to is as follows:

MARIANNA, FLA., December 2, 1916.

Hon. D. U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: I note from the press the probability of a measure advocated by Mr. FITZGERALD, of New York, I believe, to be introduced in Congress placing an embargo on the exportation of corn, wheat, meat, and other food products. Believing that such a measure would operate against the best interest of this section, I have secured a petition indorsed by some of our representative people requesting that you oppose the passage of such embargo. If you can consistently oppose the passage of this measure, we would thank you to consider the inclosed petition and take such action in the premises as your judgment dictates.

Thanking you for this consideration, I am,
Yours, very truly,

W. J. DANIEL.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAMES:

A bill (S. 7130) to create a commission on illiteracy to be known as the American illiteracy commission; to the Committee on Education and Labor.

By Mr. GRONNA:

A bill (S. 7131) to increase the compensation of rural letter carriers; to the Committee on Post Offices and Post Roads.

By Mr. BORAH:

A bill (S. 7132) to repeal certain provisions of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes"; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 7133) authorizing the Secretary of War to lease surplus water power at the Government reservoir dam at the headwaters of the Mississippi River; to the Committee on Commerce.

A bill (S. 7134) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States;

A bill (S. 7135) granting a pension to Annie Ackerman; and

A bill (S. 7136) granting a pension to Louis S. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 7137) to provide for the purchase of a site and the erection of a public building thereon at Crosby, N. Dak. (with accompanying papers); to the Committee on Public Buildings and Grounds.

A bill (S. 7138) authorizing the Secretary of War to donate to Richland County, N. Dak., three brass cannon, with carriages; to the Committee on Military Affairs.

A bill (S. 7139) granting an increase of pension to Charles Flack;

A bill (S. 7140) granting an increase of pension to Howard E. Hoadley; and

A bill (S. 7141) granting a pension to Flora G. Redman (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 7142) granting an increase of pension to Caroline G. Sickels; to the Committee on Pensions.

By Mr. LANE:

A bill (S. 7143) granting an increase of pension to Elizabeth J. Anderson (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 7144) granting an increase of pension to Josephine E. Ure (with accompanying papers); and

A bill (S. 7145) granting an increase of pension to William Beauchamp (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 7146) granting a pension to Andrew J. Persons (with accompanying papers);

A bill (S. 7147) granting a pension to George H. Hatch (with accompanying papers);

A bill (S. 7148) granting a pension to Fidelia E. Betts (with accompanying papers);

A bill (S. 7149) granting a pension to Henry D. Owen (with accompanying papers); and

A bill (S. 7150) granting a pension to James H. Call (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7151) granting a pension to Edward B. Earl; and

A bill (S. 7152) granting a pension to Joseph H. Hopper; to the Committee on Pensions.

By Mr. REED:

A bill (S. 7153) granting an increase of pension to Mettie Sanders; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 7154) to correct the military record of John Corwin;

A bill (S. 7155) to remove the charge of desertion from the military record of P. V. Copp;

A bill (S. 7156) to remove the charge of desertion from the military record of Harrison H. Frain; and

A bill (S. 7157) for the relief of Sarah De Witt (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 7158) granting an increase of pension to Sidney M. Smith;

A bill (S. 7159) granting an increase of pension to Daniel E. Stoneburner;

A bill (S. 7160) granting an increase of pension to Marian Robinson (with accompanying papers); and

A bill (S. 7161) granting an increase of pension to William A. Millard (with accompanying papers); to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 7162) granting an increase of pension to Joseph Chapman (with accompanying papers); and

A bill (S. 7163) granting a pension to Maude Deignan (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7164) granting an increase of pension to John J. Randall (with accompanying papers);

A bill (S. 7165) granting a pension to William J. Cook (with accompanying papers);

A bill (S. 7166) granting an increase of pension to James W. Dorman (with accompanying papers);

A bill (S. 7167) granting an increase of pension to Nicholas Johnson (with accompanying papers); and

A bill (S. 7168) granting an increase of pension to John D. Brooks (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 7169) for the relief of John A. Clark (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 7170) granting a pension to Isadora Richardson;

A bill (S. 7171) granting an increase of pension to Niels Peder- sen (with accompanying papers);

A bill (S. 7172) granting a pension to Hannah Vandenburg (with accompanying papers);

A bill (S. 7173) granting an increase of pension to Isaac N. Strohm (with accompanying papers);

A bill (S. 7174) granting an increase of pension to William M. Wright (with accompanying papers); and

A bill (S. 7175) granting an increase of pension to Elijah Thompson Hurst (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN (for Mr. O'GORMAN):

A bill (S. 7176) granting a pension to Mary L. Crawford; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 7177) granting an increase of pension to Charles H. Slocum;

A bill (S. 7178) granting an increase of pension to David H. St. Clair;

A bill (S. 7179) granting an increase of pension to Anderson C. Jones;

A bill (S. 7180) granting an increase of pension to William M. Robertson;

A bill (S. 7181) granting an increase of pension to John C. Mayer; and

A bill (S. 7182) granting an increase of pension to William F. Wahl; to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 7183) granting an increase of pension to Perry Ryals; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WILLIAMS submitted an amendment proposing to repeal so much of the provision of the act of June 30, 1915, relative to the salary of the commissioner of immigration at New Orleans, La., so that the annual salary paid him shall be left to the discretion of the Secretary of Labor, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BORAH submitted an amendment proposing to appropriate \$10,000 for the investigation and survey of what is known as the Black Canyon irrigation project in the counties of Canyon, Gem, and Ada, in the State of Idaho, intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CORRUPT PRACTICES.

Mr. KENYON submitted an amendment intended to be proposed by him to the bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, which was ordered to lie on the table and be printed.

INAUGURAL CEREMONIES.

Mr. OVERMAN submitted the following concurrent resolution (S. Con. Res. 27), which was read, considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That a joint committee, consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 5th day of March next.

REGULATION OF IMMIGRATION—NOTICES ON THE CALENDAR.

Mr. SMITH of South Carolina. Mr. President, on yesterday I gave notice that immediately upon the conclusion of the unfinished business I would call up the immigration bill. It has been the custom of the Senate since I have been here, when such notices have been given, to have them printed on the calendar, so that Senators might be aware of the intention of the one giving the notice, and be prepared to meet it. I see that the notice is not printed on to-day's calendar. I just rose to know whether or not that course had been taken simply with reference to this particular bill, or whether the proper authorities had decided to abolish the custom of printing such notices.

The VICE PRESIDENT. The Chair supposes the Senate might as well decide now as at any time the question as to whether it is the duty of the Secretary to put on the face of the calendar anything except the unfinished business. While it has nothing to do with this particular bill, the Chair will state to the Senator from South Carolina that last session there was hardly room on the front page to publish all sorts of notices, and the Chair then ordered that they be not further published until there was an order of the Senate to that effect.

Now, if the Senate wants these notices to go on the calendar, all it has to do is to say so. The Chair has been impressed with the idea that the only thing to be put on the face of the calendar is the unfinished business or unanimous-consent agreements.

Mr. SMITH of South Carolina. I will state that I have not given the matter any particular thought, but I did not care, for several reasons, to have the notice that I gave go without an explanation. Of course, the Senate can do as it sees fit about the matter. I have no particular desire one way or another, but, as it had been the custom, I thought perhaps it would keep the Senate aware of my intention to do what I said yesterday that I would do. The matter is left entirely with the Senate as to whether the custom or usage will be abolished, or perhaps a rule will be adopted in regard to it.

Mr. LODGE. Mr. President, will the Senator allow me to ask him a question?

Mr. SMITH of South Carolina. Certainly.

Mr. LODGE. Do I understand that the Senator's notice is that upon the final disposition of the present unfinished business it is his intention to move to take up the immigration bill?

Mr. SMITH of South Carolina. Yes.

Mr. GALLINGER. Mr. President, I was gratified on yesterday to hear the Senator inform the Senate that that was his purpose. That is in the Record, but I think it is a very bad practice to place on the calendar a suggestion that a Senator is to move at a certain time to take up a bill. It gives the Senator giving that notice no priority over other Senators. During the last session we had on one calendar four notices from four different Senators that when the unfinished business was concluded they would make motions to proceed to the consideration of four different bills.

The VICE PRESIDENT. It was just at that time that the Chair ordered them left off the calendar until the Senate should order them to be put on again.

Mr. OVERMAN. Mr. President, I agree with the Senator that it is a bad practice; but when a Senator rises and gives notice that on a certain day he intends to call up a bill it seems to me that that ought to be on the calendar, so that Senators may know that that bill is coming up at that time.

Mr. GALLINGER. Yes; if the Senator suggests that he will move to take up a bill on a certain day, I think that might well go on the calendar.

Mr. OVERMAN. I think that ought to go on the calendar.

Mr. GALLINGER. But a statement that he will move to take it up when the unfinished business is concluded is a different proposition.

Mr. OVERMAN. I think so myself, because that is not any notice at all; but when notice is given that on a certain date a Senator will move to take up a certain bill, it seems to me it should appear on the calendar.

Mr. SMITH of South Carolina. The only question that was in my mind was this: I wanted it clear as to whether or not the custom generally was to be discontinued. I have no choice in the matter one way or the other, and have not considered whether it was a good or a bad practice; but I did not want the immigration bill to be left at that particular point without an explanation that the practice was going to apply to all similar cases.

Mr. GALLINGER. I will simply add that when the Senator from South Carolina finds a favorable opportunity to move to take up the immigration bill, he will find great support on this side of the Chamber.

Mr. SMITH of South Carolina. If the Senator from South Carolina does not change his mind, and the present unfinished business seems to promise interminable debate, he will move to take up the immigration bill, the unfinished business notwithstanding.

Mr. STONE. Mr. President, I wish to ask the Chair a question, in view of the Chair's statement that he has made an order that the printing of notices on the cover of the calendar shall be discontinued. Suppose a Senator wishes to give notice that he desires to address the Senate at a certain time, the usual form being at the conclusion of the morning business. That has been a practice here for a long time. Is it understood now that notices of that kind are not to go upon the calendar in the future?

The VICE PRESIDENT. The Chair has not the slightest objection to the Committee on Rules making any order that it pleases. If it wants the face of the calendar filled up with all sorts of notices it has a right to have it done. Notice that a Senator is going to speak at a certain time depends, the Chair should say, on whether or not the Chair recognizes him when that time comes. Ordinarily he does if it is possible to do so.

At the last session of the Senate, however, there were four notices for the same day and the same hour that four Senators were going to make speeches at the same time, and the Chair ordered them left off. There is no rule of the Senate on the

subject. There has never been any order of the Senate on the subject. The Chair does not care anything about it.

Mr. STONE. Mr. President, I do not care very much about the matter one way or the other, but I do not see what harm comes from putting notices on the cover of the calendar in accordance with the practice we have been following. Now, there may be some conflicts. Of course, two or three Senators might give notice that they would call up given bills on a given day; but the Senate could settle that when the time came. Any Senator can call up a bill whether he has given previous notice or not, and he can make a motion that the Senate proceed to the consideration of the bill. The mere fact that a notice had been printed on the cover of the calendar would give no preference to the Senator giving the notice.

The VICE PRESIDENT. Why put it there, then?

Mr. STONE. The reason for putting it there, as I see it, Mr. President, is that a Senator in charge of a bill, as in the case of the immigration bill, could in that way inform the Senate as to his purpose. This notice we would see from day to day, every morning, when we took up the calendar, and thus be advised that at a certain time a motion would be made to take up a certain important measure.

Mr. BORAH. Mr. President—

Mr. STONE. Thus the Senate would be advised. Senators, if interested, could be present to oppose the consideration of the measure or to advocate it. A Senator might desire to address the Senate on some important matter. He puts upon the face of the calendar a notice that at a given time he will address the Senate on a given subject. There might be Senators who would desire to hear the address, and the notice would be of use to them.

Mr. BORAH. What I wanted to ask the Senator was this: I presume, since the question has been raised, that it might be wise to suggest that the Committee on Rules prescribe what shall go upon the front of the calendar.

Mr. STONE. I think that is a very good suggestion, Mr. President. As a matter of first impression, I am not disposed to favor the absolute wiping out of the practice of having these notices placed upon the front of the calendar; but it might be well enough, to prevent any undue abuse of it, to have the Senate Committee on Rules prescribe some regulation of the subject. But what I want to ask now is whether, if a notice should be given to-day that a motion would be made to take up a given bill on Saturday, it would appear on the face of the calendar?

The VICE PRESIDENT. It certainly would.

Mr. STONE. It would?

The VICE PRESIDENT. It certainly would.

Mr. STONE. On the calendar?

The VICE PRESIDENT. On the calendar. That is notice of a definite proposal.

Mr. STONE. I thought the Vice President had indicated to the contrary.

The VICE PRESIDENT. Oh, no. The Vice President has tried to make himself clear that the reason these notices were stricken off was that they were each of this character—that "at the conclusion of the unfinished business now pending before the Senate I will move to take up a certain bill," and there were four of those notices. The Vice President ordered them left off the calendar, and ordered nothing put on there that was not definite in its character.

CUSTOMS COLLECTION DISTRICTS.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Finance:

To the Senate and House of Representatives:

The sundry civil act approved August 1, 1914, contains the following provision, viz:

The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided*, That the whole number of customs-collection districts, ports of entry, or either of them, shall at no time be made to exceed those now established and authorized except as the same may hereafter be provided by law: *Provided further*, That hereafter the collector of customs of each customs-collection district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated and the President is authorized from time to time to change the location of the headquarters in any customs-collection district as the needs of the service may require: *And provided further*, That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder and the reasons therefor.

Pursuant to the requirement of the third proviso to the said provision, I have to state that customs-collection districts Nos.

2 and 3, with headquarters ports at Burlington and Newport, Vt., were, on November 21, 1914, by Executive order effective January 1, 1915, consolidated into one customs-collection district, No. 2, with headquarters at St. Albans. This consolidation was made for the reason that the customs business in the State of Vermont could be handled by one collector, and would result in a reduction of the expense of administration.

The port of entry at Somers Point, N. J., in district No. 11, headquarters port, Philadelphia, was abolished by Executive order dated November 30, 1915, to become effective January 1, 1916, for the reason that the customs business at said place was not of sufficient volume to warrant the expenditure necessary to continue the office.

The port of entry at Charlotte, N. Y., in district No. 8, headquarters port, Rochester, N. Y., was abolished by Executive order dated January 28, 1916, to become effective February 1, 1916, for the reason that Charlotte had been by the laws of the State of New York included within the corporate limits of and merged with the city of Rochester.

By Executive order dated February 7, 1916, the boundary line between district No. 29, Oregon, and district No. 30, Washington, was changed so as to detach that part of the State of Washington which embraces the waters of the Columbia River and the north bank thereof west of the one hundred and nineteenth degree of west longitude from customs collection district No. 30, and to place the same within the limits of district No. 29. This action was taken in order to facilitate the transaction of customs business on the north bank of the Columbia River.

By Executive order dated April 24, 1916, to become effective May 1, 1916, Winston-Salem, N. C., was created a port of entry in customs-collection district No. 15, headquarters port, Wilmington, N. C., for the reason that a commercial necessity existed which warranted such action.

By Executive order dated November 21, 1916, to become effective December 1, 1916, Gladstone, Mich., headquarters port, Detroit, Mich., was abolished for the reason that the customs business had been removed to Sault Ste. Marie, Mich.

WOODROW WILSON.

THE WHITE HOUSE, December 6, 1916.

REPORT ON AERONAUTICS (S. DOC. NO. 559).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Naval Affairs:

To the Senate and House of Representatives:

In compliance with the provisions of the act of Congress approved March 3, 1915 (naval appropriation act, Public, No. 273, 63d Cong.), I transmit herewith the Second Annual Report of the National Advisory Committee for Aeronautics for the fiscal year ended June 30, 1916.

WOODROW WILSON.

THE WHITE HOUSE, December 6, 1916.

The VICE PRESIDENT. The morning business is closed.

CIRCUIT AND DISTRICT JUDGES.

Mr. SMITH of Georgia. I move that we proceed with the consideration of Senate bill 706, the first bill on the calendar.

The VICE PRESIDENT. That seems to be the first bill on the calendar.

Mr. SMITH of Georgia. Yes, Mr. President. I move to proceed with the consideration of that bill. I make the motion because I think it proper and I have the right to do it.

Mr. SUTHERLAND. Let us have the yeas and nays on that motion, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SMITH of South Carolina (when Mr. HARDWICK's name was called). The junior Senator from Georgia [Mr. HARDWICK] is detained from the Senate on account of sickness. He is paired with the junior Senator from Kansas [Mr. CURTIS].

Mr. WADSWORTH (when his name was called). I have a general pair with the senior Senator from Kansas [Mr. THOMPSON]. In his absence I withhold my vote.

The roll call was concluded.

Mr. SIMMONS (after having voted in the affirmative). I should like to inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a pair with that Senator, but I transfer the pair to the Senator from Tennessee [Mr. LEA] and allow my vote to stand.

Mr. CHILTON. I have a pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Louisiana [Mr. RANDELL], and vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I should like to inquire whether the senior Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I withdraw my vote, having a general pair with that Senator.

Mr. McLEAN (after having voted in the negative). Has the junior Senator from Montana [Mr. MYERS] voted?

The VICE PRESIDENT. He has not.

Mr. McLEAN. I withdraw my vote, being paired with that Senator.

Mr. GALLINGER (after having voted in the negative). I inquire whether the Senator from New York [Mr. O'GORMAN] has voted?

The VICE PRESIDENT. He has not.

Mr. GALLINGER. I have a general pair with that Senator, which I will transfer to the Senator from Wyoming [Mr. WARREN] and allow my vote to stand.

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. GRONNA (after having voted in the negative). May I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The VICE PRESIDENT. He has not.

Mr. GRONNA. I have a pair with that Senator, and I will ask leave to withdraw my vote.

Mr. VARDAMAN. I desire to announce the unavoidable absence of the Senator from Louisiana [Mr. BROUSSARD] on account of illness.

The result was announced—yeas 42, nays 33, as follows:

YEAS—43.

Ashurst	Husting	Pittman	Smith, S. C.
Bankhead	James	Pomerene	Stone
Beckham	Johnson, S. Dak.	Reed	Swanson
Bryan	Kern	Robinson	Thomas
Chamberlain	Lee, Md.	Saulsbury	Thompson
Chilton	Martin, Va.	Shafroth	Tillman
Culberson	Martine, N. J.	Sheppard	Underwood
Fletcher	Newlands	Shields	Vardaman
Gore	Overman	Simmons	Walsh
Hitchcock	Owen	Smith, Ariz.	Williams
Hughes	Phelan	Smith, Ga.	

NAYS—32.

Borah	Fernald	McCumber	Smith, Mich.
Brady	Gallinger	Nelson	Smoot
Brandegge	Goff	Norris	Sterling
Clark	Harding	Oliver	Sutherland
Colt	Jones	Page	Townsend
Cummins	Kenyon	Penrose	Watson
Curtis	Lippitt	Polindexter	Weeks
du Pont	Lodge	Sherman	Works

NOT VOTING—21.

Broussard	Hardwick	Lea, Tenn.	Smith, Md.
Catron	Hollis	Lewis	Wadsworth
Clapp	Johnson, Me.	McLean	Warren
Dillingham	Kirby	Myers	
Fall	La Follette	O'Gorman	
Gronna	Lane	Ransdell	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 706) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. SMITH of Georgia. Yesterday I suggested an amendment striking out certain language in the bill and substituting other language. The exact change that I ask is to strike out "if in his opinion the public good so requires, may" and substitute "if in his opinion the efficient conduct of the business of the court so requires, shall." Yesterday I used the word "proper" before "conduct." I use now the word "efficient." I send the amendment to the Clerk's desk and ask that it may be read.

The SECRETARY. On page 10, line 10, in lieu of the amendment proposed on yesterday, after the word "President" and the comma, strike out the words "if in his opinion the public good so requires, may" and insert in lieu of the words "if, in his opinion, the efficient conduct of the business of the court so requires, shall."

Mr. SMOOT. I notice that the Senator on July 19, 1916, offered an amendment to the bill and that as amended the bill was ordered printed.

Mr. SMITH of Georgia. No; the amendment was not made.

Mr. SMOOT. Then, with the proposed amendment, the bill was ordered printed. I notice the amendment which was offered at that time by the Senator reads to strike out the words he now proposes to strike out and insert the following:

If he finds that the efficient administration of the business of the court so requires shall.

I understand the Senator makes a change in that amendment.

Mr. SMITH of Georgia. I modeled this language a little more exactly after the language used in the embargo cases. In the embargo cases the language used was "if in his judgment," and I use the language "if in his opinion," that having been the language used in the House bill and reported by the Judiciary Committee. There is not any substantial difference. I would as willingly use one expression as the other.

Mr. CLARK. I should like to ask the Senator from Georgia, who proposes the amendment, if in his opinion the amendment proposed by the Senator makes any practical difference in the operation of the bill?

Mr. SMITH of Georgia. I do not think so. I think the other language—

Mr. CLARK. Then I should like to ask the Senator what is the purpose of the amendment?

Mr. SMITH of Georgia. To remove all doubt as to the meaning of the language in the original bill. In discussing the subject when it was up some months ago I stated what I considered was the meaning of the language in the bill, but that I would be glad to relieve all doubt as to its meaning and modify the language as I now propose. I think either form of language is sufficient. I think the word "may" in the bill means "shall," but I prefer to use the word "shall" so that there can be no possible doubt.

Mr. CLARK. My inquiry was not directed to the use of the word "shall" or the word "may," but to the other portion proposed to be stricken out. The Senator proposes to strike out the words "if in his opinion the public good so requires" and insert "if in his opinion the efficient conduct of the business of the court so requires." I ask the Senator if there is any practical difference or if it would make any difference in the practical operation of the law which of those is used?

Mr. SMITH of Georgia. I think the correct interpretation of the language in the original bill would be the language used in this amendment. That is the interpretation I would place upon the language of the original bill; but as the bill has not yet been passed and some question was raised as to the meaning I think it desirable to use the language offered in this amendment; especially do I deem it desirable to substitute the word "shall" for the word "may."

Mr. CLARK. I do not know that I have any objection to the amendment. To my notion it means precisely what the other language would mean.

Mr. SMITH of Georgia. I think so; but the amendment saves the necessity of construction.

Mr. CLARK. I think with the bill as passed by the House whenever a judge arrives at the age of 70 years and has had 10 years of service the President may appoint an additional judge for that circuit or that district. I do not believe any language can be used that will modify the practical application in that way. In other words, my belief is that the bill is intended and will be so construed as authority to the President to increase at the present time the number of United States judges by from 17 to 20—

Mr. SMITH of Georgia. Three or four of them have died since we were here last summer.

Mr. CLARK. Call it 14, then. There are from 14 to 16, and to appoint an additional Federal judge whenever any Federal judge has reached the age of 70 years and been 10 years in service. That to my notion is the prime object and purpose of this bill, and I do not believe the words which the Senator proposes as an amendment conceal that purpose to any great extent.

Mr. SMITH of Georgia. I will say to the Senator I have no desire to conceal any purpose.

Mr. CLARK. If the Senator had waited until I had gotten through, he would have heard me say that the words proposed in the Senator's amendment do not conceal that purpose any more effectually than do the words of the bill as passed by the House. I, myself, if I was going to vote for the bill, perhaps would prefer the amendment proposed by the Senator from Georgia, because at least it has a little better appearance than the wording of the House bill; but, as I said, the whole practical effect of the entire bill is in my judgment exactly as I have stated, to allow the President of the United States whenever he so desires to put in these additional judges under the conditions expressed in the bill.

Mr. STERLING. Mr. President, while the amendment suggested by the Senator from Georgia is pending, I propose to discuss somewhat fully the bill. We have before us in this bill a series of remarkable propositions all coming under the same general principle.

The bill proposes to amend the Judicial Code: First, by investing the President with the power to appoint an additional circuit judge in any circuit where the present incumbent of that office having served continuously for a period of 10 years has reached the age of 70 years and still desires to remain in office and perform the work of a judge.

Second, the additional judge so appointed takes the place of the present incumbent as one of the judges of the circuit court of appeals, the present judge being to all intents and purposes relieved from the duties which had devolved upon him as one of the judges of said circuit court of appeals. The judge of 70 years of age is now made the junior of the other judges of that court.

Third, by the special grace of the presiding judge of that court the old incumbent may be designated to sit on occasion in the hearing of a cause, but only when in the opinion of such presiding judge the public good may so require. That is according to the terms of the original bill. Whether that part is changed by the amendment offered by the Senator from Georgia, I am not quite sure, but I hardly think so. Under the terms of the bill the Chief Justice is empowered to, on occasion, designate the circuit judge, who has declined to resign at 70, to aid in the hearing of a cause or causes pending before the circuit court of appeals in some other circuit.

Fourth, the same rule is made to apply to district court judges who have reached the age of 70 years after 10 years of continuous service, and, unconscious of any impairment of necessary faculties for the performance of their work, have been careless about resigning. They are to be henceforth relieved save as they may be on occasion designated for duty by a circuit judge under existing provisions of law.

All this is, Mr. President, as I shall attempt to show, nothing less than an attempt to do by indirection what no lawyer would propose to do directly, namely, terminate the services of all Federal circuit and district court judges who, having served a period of 10 years, have reached the age of 70 years. It is true that if the incumbent on reaching the age of 70 does not voluntarily retire he is apparently continued in office during life or good behavior, and that on full pay; but he is required without his consent to relinquish the right to exercise the functions and to perform the duties and to possess the dignities of that high office in favor of another to whom in the terms of the bill the older incumbent is now to become the junior judge. As the law now stands there is the right of voluntary retirement at the age of 70 or at any time after that age, but the right to retire at any time after 70 from the office and from the performance of the duties that go with the office is to be superseded by a legislative plan whereunder there will be an involuntary surrender of the functions and duties of the office.

To surrender these is, in effect, to surrender the office. Title and emoluments do not constitute an office. Inseparable from the office are the duties and the business of the office; they are of the essence of the office, and a man can not be said to hold an office unless he has the right and is under the obligation to perform the work of the office.

The most liberal interpretation you can put upon the relation of the old judge who will be affected by this bill to the new orders of things will be that through such change he will be demoted. Demotion is not confined to a simple reduction in salary or compensation as in the case of a civil-service employee. We are familiar with demotions of this kind when changes of administration take place. But demotion primarily means to be reduced to a lower rank or grade as in the case of school children who may through failure in examinations be required to go back from the seventh to the sixth grade instead of being promoted to the eighth. Just so with this bill. He who was appointed to the first and only rank will be required by legislative manipulation to not only discontinue the regular work of his rank but suffer as well loss or degradation of rank to a junior place, and this by the very language of the bill. Viewed either as an enforced retirement or as a demotion, there is such change in the relation of the incumbent to all that pertains to the office except the compensation as, in my judgment, results in a plain violation of that provision of the Constitution under which these courts are established and these Federal judges appointed.

In the series of resolutions outlining a frame of government submitted by John Randolph early in the proceedings of the Convention of 1787, provision was made for a Federal judiciary the members of which were to hold their offices "during good behavior." Again and again at many sittings of the convention the proposition for the establishment of such judiciary and the tenure of office of the judges came up for discussion. The provision appeared in many different forms, but nowhere in all the proceedings did any statement omit the declaration that tenure was to be "during good behavior," and the finished product of

the labors of the convention in this respect appeared at last as section 1 of Article III:

The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

Whatever prudence on the part of the individual judge may dictate, whatever infirmity of body or mind or the good of the service may dictate concerning voluntary retirement when a judge has reached the age of 70, we know that tenure during good behavior is not conditioned upon age, nor even upon the infirmities of age, for despite these the tenure is for life unless bad behavior sooner terminates the right to hold the place and gives cause for removal by impeachment or otherwise.

In an early case decided by Lord Holt in 1693 (*Barcount v. Fox*, 1 Shower, 515) the court held and decided as follows:

"During good behavior" is during life; it is so long as he doth behave himself well, i. e., if he behaves himself well in so long as he lives, he is to have it so long as he lives. During life and during good demeanor are, therefore, synonymous phrases; the same thing when used with relation to offices. The condition annexed, if observed, continues it during life; the contrary determines it. This is the rule and law in case of offices in general, and must hold in this, for this is an office; * * * it is capable of being enjoyed for life, and consequently of being granted so, especially when an act of Parliament declares it shall be so. There is nothing in the nature of the employment that hinders it.

This definition of the term "during good behavior" prevailed in English law at the time of the adoption of the Constitution. By a familiar rule of interpretation it is the meaning which, without other considerations, must be given to the term or phrase "during good behavior." But we are not without American authority. According to the decision in *Smith v. Bryan* (100 Va., 199), "An official tenure 'during good behavior' is for life unless sooner determined for cause. And removal for cause implies a right to be heard and a trial in one form of procedure or another."

Let us bear in mind the language of the Constitution. It is, they "shall hold their offices during good behavior."

And this now invites us to consider for a moment the legal meaning and significance of the word "office." As we pursue the inquiry we shall see that fundamentally an office is a right; a right to exercise certain functions, to perform certain duties. Take away this right and you take away the office; take from the incumbent the right to perform some of the duties which the law prescribes for that office without diminishing the duties of the office itself and pro tanto you deprive the incumbent of his office. Moreover, it is not the individual incumbent alone that is affected by such diminution of duties or by a deprivation of the right to perform the office. The office is a public office, and since, as in this case, a man can not under the supreme law of the land be appointed to the office for a shorter term than during good behavior or for life it must be presumed that the public interest requires the appointee, he being capable, to hold the office during the term for which he was appointed. As I have attempted to show, however, he is not holding the office unless, having the capacity and the will, he is permitted to do that which the law prescribes shall be done by any person appointed to the place.

An office, as defined by Bouvier, is a right to exercise a public function or employment and to take the fees and emoluments belonging to it.

Burrill says:

The idea of an office clearly embraces the ideas of tenure, duration, fees or emoluments, rights and powers, as well as that of duty.

Three writers, Bacon in 1750, Cunningham in 1783, and Tomlins in 1836, using practically the same language, say that the word "officium" (office) principally implies a duty, and in the next place the charge of such duty.

Blackstone defines offices as a right to exercise a public or private employment.

The definition given by Goodnow in his work entitled "The principle of administrative law in the United States, 1905," is illuminating. It is as follows:

By an office is understood a right or duty conferred or imposed by law on a person or several persons to act in the execution and application of the law.

The first right to be noticed is the right of the officer to exercise the powers and perform the duties connected with his office. A continuing right to the office can be spoken of only in the case of an officer whose tenure of office is independent of any administrative superior, so far as the length of term is concerned. Only those officers have a permanent right to exercise the powers and perform the duties of the office who may not be arbitrarily discharged by any administrative superior.

How significant the statement that "the first right to be noticed is the right of the officer to exercise the powers and perform the duties connected with his office."

What are the powers and duties of every district or circuit judge under the law? He is the one essential part of every district or circuit court charged with the duty to hear and determine all cases at law, all suits in equity over which the court to which he has been appointed has jurisdiction, and to hear and determine them in his own right as judge of that court. Likewise may he exercise all powers in interlocutory and ancillary proceedings and while sitting as judge in chambers, incident to his position or conferred by statute. He can do all things necessary to effect the object for which the court was established. All the judicial power vested in the court is called into exercise by the individual judge of that court and that power is as broad as the jurisdiction of the court under the law.

The definition of a public office as given by Mechem is interesting for the reason that it includes the other element of which some hint has already been given, namely, the public benefit to accrue from the exercise of the functions of the office by him who holds it:

A public office is the right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the Government, to be exercised by him for the benefit of the public. The individual so invested is a public officer.

Where the term of the officer is fixed by the constitution, the legislature can neither extend nor abridge it.

Mechem further says relative to the terms and tenure of the office and the want of power in the legislature to change the same:

But where the tenure and terms of office are fixed by the constitution, different considerations apply. Such provisions as the constitution makes are beyond the power of the legislature to alter or destroy.

And it is this contention, Mr. President, that the effect of this bill will be to alter or destroy the tenure of office as fixed by the terms of the Constitution itself.

Thus where a State constitution provides for the election of sheriffs and fixes the term of office, though it does not define what powers, rights, and duties shall attach or belong to the office, the legislature has no power to take from a sheriff a part of the duties and functions usually appertaining to the office and transfer it to an officer appointed in a different manner and holding the office by a different tenure.

The essential thing here is not that the power is transferred to another appointed in a different manner and holding by a different tenure, but that the powers and duties usually appertaining to the office are transferred at all.

Throop, in his treatise on the law relating to public office, in discussing the power of the legislature to remove an officer or abridge his term, had this to say:

But these principles are subject to the qualifications that the legislature can not remove an officer where the tenure of his office is fixed by the constitution, and it has also been said that the same result can not be effected indirectly by transferring the office to another or by abbreviating the term; in such a case the legislature can only abolish the office. It has also been held that where the office is created by the constitution, the tenure and compensation being left to be regulated by statute, the legislature can not virtually abolish the office by a colorable reduction of the compensation or by taking it away altogether. Nor can the legislature take from the officer the substance of the office and transfer it to another, to be appointed in a different manner, and to hold by a different tenure, although the name of the office is changed or the office divided, and the duties assigned to two or more officers under different names.

And that will apply, Mr. President, to the proposition involved in this bill, of treating the old incumbent not as senior, not as a judge of equal rank with any new appointee, but as junior judge, to be subject to the will of the new incumbent of the office. Mr. Throop cites many cases in support of these propositions.

Again, Mr. President, I say it is immaterial that the duties of the office are assigned to others, or to another appointed in a different manner who is to hold by a different tenure. The gist of the act, of the wrong, consists in taking from the officer the substance of the office. And this you surely do when you not only appoint a new judge who shall outrank the present incumbent, but when you relieve the incumbent from the performance of his regular duties, and leave it to the arbitrary will of another judge or judges whether the old incumbent shall perform a single one of those duties usually appertaining to the office.

Throop further says:

It is well settled that where the constitution creates or recognizes an office, and declares that the incumbent may be removed in a specified manner or for specified reasons, the legislature can not constitutionally provide by statute for his removal for any other reason or in any other manner.

But here you propose not to remove for any disability, nor for anything for which the judge might be impeached under the Constitution, nor is it the incapacitated individual judge against which the bill is aimed. You propose by this bill to remove Federal judges en bloc for no cause specified in the Constitution and against the plain provision that they shall hold their office during good behavior. Instead of belonging to an independent

judiciary with power of direction and initiative in the administration of justice, in the manifold business of the circuit court of appeals or of the district court to which he was appointed under the Constitution and the law, he is relieved entirely, or if called to occasional service it is not by virtue of his right under the Constitution, for under this bill he need not be and probably will not be called at all, but if he is it will be as a subordinate and subject to the will of other judges.

Mr. President, it is not contemplated that his services will be needed even in the uncertain, desultory manner provided in the bill. It is evident that the whole scheme and purpose is to deprive these judges who after 10 years of service have reached the age of 70 years of the right to perform the duties of the office to which they were appointed, to provide for their involuntary retirement, and "will they nill they" appoint their Democratic successors.

The very terms of the bill show that no additional judges are in fact needed in addition to the number already qualified to serve in the circuit court of appeals or in the district court. The animus of this proposed measure is disclosed by the last paragraph, which is that—

Upon the death or resignation of any circuit or district judge so entitled to resign, following the appointment of any additional judge as herein provided, the vacancy caused by such death or resignation of the said judge so entitled to resign shall not be filled, but the number of judges then in office shall be reduced accordingly.

Attempts have been made to deprive an officer of the fees of his office by relieving him of the duties of the office, but the office being a constitutional office, it was held that this could not be done. This was in the case of *People v. Howland*, Forty-fifth New York Statutes, page 347, and the court there held that there can be no public office with no duties to be performed.

Mr. President, it has been asserted, and not without reason, that the real object of this bill is to confer favors upon and give places to some 15 or 16 "deserving Democrats."

Let us give the author of the bill, the distinguished Senator from Georgia, the benefit of the doubt.

Mr. SMITH of Georgia. Mr. President, one moment. The author of the bill was Attorney General McReynolds, who first recommended it when he was Attorney General, and then it was recommended again by Attorney General Gregory. The bill came from the Department of Justice. The Senator gives me credit for more than I deserve.

Mr. STERLING. I assumed that the distinguished Senator who introduced the bill, and who is now advocating it so earnestly, was the author of the bill.

Mr. COLT. Mr. President—

The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). Does the Senator from South Dakota yield to the Senator from Rhode Island?

Mr. STERLING. I yield to the Senator from Rhode Island.

Mr. COLT. May I ask the Senator from Georgia if it is not a fact that the recommendations of the former Attorney General differed radically from the present bill, in that under his proposed bill the President was obliged to appoint?

Mr. SMITH of Georgia. Yes.

Mr. COLT. Because, in a conversation some time ago with Mr. Justice McReynolds, I understood him to say that this bill did not meet with his approval, for the reason, as I understood, that it gives the President discretionary power to appoint.

Mr. SMITH of Georgia. I should like to ask the Senator from Rhode Island if he will support a bill which would make it obligatory to appoint an additional judge when the old judge reaches the age of 70?

Mr. COLT. I might say that that bill would be open to the objection that the President would be obliged in every case, when a judge reaches the age of 70 and has served 10 consecutive years, to appoint another judge; and it hardly seems to me that that would be a practical measure, in that the effect would be to increase the number of judges more than was necessary. Further, I am opposed to any feature which allows either Congress or the Executive to demote or degrade a judge while he is holding the office of judge. Therefore I could not support the bill proposed by the Senator.

Mr. SMITH of Georgia. If the Senator will allow me, the change from the recommendation of the Department of Justice in this bill simply consists in the modification of the provision which makes it obligatory upon the President, in all cases when a judge reaches the age of 70, to appoint the additional judge. The bill amended will provide that the appointment of the additional judge shall be made only if in the opinion of the President the efficient conduct of the business of the court so requires. That is the change from the bill recommended by the Department of Justice.

Mr. SUTHERLAND. Mr. President, may I, with the permission of the Senator from South Dakota, ask the Senator from Georgia a question?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield to the Senator from Utah.

Mr. SUTHERLAND. The Senator from Georgia, I think, knows that heretofore whenever a judge has reached the age of 70 years, and has declined to retire, but by reason of disability is not able fully to discharge the duties of the office, Congress has provided by a special bill for the appointment of an additional judge.

Mr. SMITH of Georgia. Is that a question addressed to me?

Mr. SUTHERLAND. I make that statement of fact as preliminary to a suggestion or a question which I desire to ask of the Senator.

Mr. SMITH of Georgia. I will let the Senator finish.

Mr. SUTHERLAND. Now, if that is correct—and my observation during my 12 years' service in this body convinces me that it is—what objection is there to leaving this discretion where it is now, whenever a case is presented such as is contemplated by this bill? Why should we take from Congress the discretion which it now possesses to pass upon the individual case and determine whether or not the inefficiency of the discharge of the judicial duties will justify the appointment of a new judge? Why take it from Congress and vest it in the President?

Mr. SMITH of Georgia. I will answer the Senator. In the first place, I dissent from the statement of fact that he announces. I dissent from the statement that Congress has taken action whenever the necessity arose, and I instance a circuit court judge in the fifth circuit. Bill after bill for the past five years has been introduced to provide an additional judge in the fifth circuit, where a judge had been bedridden for five or six years, where he had reached the age of 82 years, where he had not been on the bench for years, and never again was expected to perform the duties of his office. We were not able to get the bill through to relieve this situation. So, Mr. President, it is not an accurate statement when it is laid down as a fact by the Senator that Congress does act in all cases where the necessity arises.

Now, let me go further—

Mr. SUTHERLAND. That is, it did not act in that case in the manner in which, in the opinion of the Senator from Georgia, it ought to have acted; but in the opinion of Congress the action which the Senator wanted was not justified.

Mr. SMITH of Georgia. I have the floor now. Let me answer the Senator. The Senator has asked me a question, and I will answer it. I answer him first by saying that Congress has not always acted; that a failure of justice by a failure to provide proper judicial officers has grown out of the age and inefficiency of judges, and Congress has neglected to act. I have named one extreme case where Congress did not give relief. I might name others. Now, then, going one step further, the advantage of this bill over congressional action is that we uniformly provide for the contingency, without additional legislation and without the delay caused by waiting for action by Congress in special cases. We lay down one general rule to be applied to all cases, which is that where the judge has passed the age of 70 and the efficient conduct of the business of the court so requires, without the delay of legislative action, without the uncertainty of legislative action, the President, in touch with the Department of Justice, at once meets the necessity and provides an additional judge who may attend to the business. That, I think, is an important advantage of this bill over the old system.

Mr. SUTHERLAND. The effect of all of which is, Mr. President, if I understand the position of the Senator from Georgia, that he thinks the President of the United States is more likely to act in accordance with his views than the Congress of the United States; but I undertake to say, from my observation, that whenever a case has been presented to Congress and facts have been presented that have justified a provision for an additional judge provision has been made. It was done in the case of a bill presented by the Senator himself within the last two years, when he desired an additional judge appointed in the State of Georgia. The Committee on the Judiciary investigated the question and came to the conclusion that the position of the Senator from Georgia was right, and an additional judge was provided for. We provided for it in the case of Maryland three or four years ago. Now, it seems to me that inasmuch as the Constitution of the United States contemplates that this power of creating judicial offices should be exercised by the Congress of the United States

and not by the President, Congress ought not to abdicate its power; it ought to retain the power on the theory that Congress is better able to determine whether an additional judge is required than is the President.

Mr. STERLING. Since the Senator from Georgia disclaims authorship of this bill, let me say, then, that—

Mr. SMITH of Georgia. I should make this qualification: I do not mean that this bill was not drawn by me. I mean that the responsibility for it rests upon the Department of Justice, which had twice recommended the bill before I undertook to meet their desires. The bill was actually prepared by the chairman of the Judiciary Committee of the House, by myself, and by the Solicitor General of the United States, to carry out the request of the Department of Justice. That is an accurate statement.

Mr. STERLING. I think I understand the Senator from Georgia in that respect.

Mr. WORKS. Mr. President, if the Senator will permit me for just a moment, I should like to ask the Senator from Georgia a question.

Mr. STERLING. I yield to the Senator from California.

Mr. WORKS. Under what constitutional or statutory authority does the Attorney General recommend or advise legislation by Congress? I supposed that such recommendations were required to come from the President.

Mr. SMITH of Georgia. The heads of the departments furnish their reports, embodying suggestions as to the needs of the Government, as an incident to their departmental work; and it has grown to be the practice for the President simply to adopt their reports and send them to Congress practically as his own. They really come to us as the acts of the assistants of the President, through the President.

Mr. WORKS. The Senator has not answered my question, but I will waive that. I understand that these reports first go to the President of the United States. Formerly they were embodied in his message to Congress; and it has always seemed to me that if any recommendation or advice respecting the enactment of any legislation is made, it should come from the President. He is directly authorized by the Constitution to make these recommendations; but there is no such provision as relating to any department, so far as I know.

Mr. SMITH of Georgia. No; but Presidents recently have furnished us these reports and requested us to consider them as a part of their messages, as the President did yesterday.

Mr. WORKS. Well, Mr. President, if that has become the custom of the executive departments, it is an exceedingly dangerous one—if all of the recommendations that are made by the heads of departments are regarded as being made by the President because he refers them to Congress.

Mr. STERLING. Mr. President, instead, then, of giving the author of the bill the benefit of the doubt, let us give the benefit of the doubt to the distinguished Senator from Georgia, and let us say that he was not impelled by the sight of 15 or 16 old and decrepit men vainly endeavoring to keep up the appearance of performing their judicial duties, but who through failure of their powers to longer weigh evidence or grasp and apply the legal principles involved in the cases before them were manifestly unfit for their tasks; but let us take the more charitable view and agree that the introduction of the bill was inspired by one or two isolated cases which have come under his personal observation, where physical and mental infirmities to some degree incident to age have prevented the performance of the duties of their offices by one or more Federal judges. Suppose this to be the case. Is he without remedy? Is there no relief save by the questionable method here proposed? Can there not be the disposition of causes without resort to this drastic method of forcing all judges of 70 out of the service at the will of the Executive? Is there no relief under existing law for these specific cases without peremptorily putting 15 or 16 good and competent men on the superannuated list? If existing law does not cover the case, let us make a law that will. We can do it and keep within the bounds of the Constitution, I am sure.

I want to call attention, Mr. President, to some of the provisions of the Judicial Code relative to cases of disability and the provisions made for the trial of cases and the transaction of the business of the court under such circumstances.

Calling attention to section 13, the language is:

When any district judge is prevented, by any disability, from holding any stated or appointed term of his district court, and that fact is made to appear by the certificate of the clerk, under the seal of the court, to any circuit judge of the circuit in which the district lies, or, in the absence of all the circuit judges, to the circuit justice of the circuit in which the district lies, any such circuit judge or justice may, if in his judgment the public interests so require, designate and appoint the judge of any other district in the same circuit to hold said court, and to discharge all the judicial duties of the judge so disabled, during such disability. Whenever it shall be certified by any such circuit judge or, in

his absence, by the circuit justice of the circuit in which the district lies, that for any sufficient reason it is impracticable to designate and appoint a judge of another district within the circuit to perform the duties of such disabled judge, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any district in another circuit to hold said court and to discharge all the judicial duties of the judge so disabled, during such disability—

And so forth.

Section 14 provides for another class of cases. Section 13 especially relates to disability on the part of the presiding judge; but section 14 relates to the accumulation of business, and provides that—

When, from the accumulation or urgency of business in any district court, the public interests require the designation and appointment hereinafter provided, and the fact is made to appear, by the certificate of the clerk, under the seal of the court, to any circuit judge of the circuit in which the district lies, or, in the absence of all the circuit judges, to the circuit justice of the circuit in which the district lies, such circuit judge or justice may designate and appoint the judge of any other district in the same circuit to have and exercise within the district first named the same powers that are vested in the judge thereof. Each of the said district judges may, in case of such appointment, hold separately at the same time a district court in such district, and discharge all the judicial duties of the district judge therein.

And then another section—section 16—provides for a new designation in the case of failure of one or the other of the first designations to be made.

So it seems, Mr. President, that here in this Code is ample provision made for the dispatch of the business of the court in case of disability on the part of the judge, or in case of a great accumulation of business.

But it is said that appointments are to be made only if in the opinion of the President the public good so requires. The Senator from Georgia proposes now to change the language so that it will be in substance, if not literally, this, "If in his—the President's—opinion the efficient conduct of the business of the court requires." Mr. President, under the admission of the Senator from Georgia himself, made this morning, there is no material difference between the language first appearing in the bill in this respect relating to the public good, and the President's judgment and discretion in regard to the public good, and the amendment offered by the Senator from Georgia.

How plausible, now, does this seem, "as the public good may require," or, in the new language, "if, in his opinion, the efficient conduct of the business of the court requires"? In either case there may be, and there is likely to be, an exercise of power purely arbitrary. Under the ample authority to designate judges for service in any district or in any Federal court save the Supreme Court, as now conferred by law, where is the need for this new power with which you propose to invest the President?

The power to do something for the public good must wait upon the public need, and I think it quite demonstrable if not already demonstrated, that even in the rare and isolated case or cases which I concede may have inspired the framing of this bill, there is no real genuine need. I would suggest to the distinguished Senator from Georgia that in that distressed and burdened district they need not suffer from the "law's delay" for a single day. Let them avail themselves of the advantages, the opportunities the law already gives them; let them call for the designation of another judge under the law as it is, and go to work and "clean up the calendar."

But does it not occur to us that the framers of the Constitution had in mind the public good when they adopted section 1 of article 3 of that great instrument? And that they must have believed that on the whole and in the long run the public good would be best served by providing that the judges of the Supreme Court, and such inferior courts as Congress might from time to time ordain and establish, should hold their offices during good behavior? The vice of this bill is that it substitutes the opinion of the President of the United States as to the public good, and what that good requires, for the opinion of the wise, far-seeing men who made the Constitution, and in it established or provided for the establishment of what I believe to be one of the greatest, and perhaps the greatest, judicial system in the world.

But, Mr. President, aside from the objection to this bill on constitutional grounds; aside, too, from the absence of evidence of any real need for the proposed legislation and the great additional expense involved, should we enact it, the bill is objectionable from the standpoint of expediency and of a wise policy in providing for the administration of justice as a part of our Federal system. Gouverneur Morris, speaking in the Senate here in 1802 in opposition to the repeal of the judiciary act then attempted, said in part:

Let a doubt should be raised, they have carefully connected the judges of both courts in the same sentence; they have said "the judges both of the supreme and inferior courts," thus coupling them inseparably together. You may cut the bands, but you can never untie them. With

salutary caution they devised this clause to arrest the overbearing temper which they knew belonged to legislative bodies. They do not say the judges, simply, but the judges of the supreme and inferior courts shall hold their offices during good behavior. They say, therefore, to the legislature, you may judge of the propriety, the utility, the necessity, of organizing these courts; but when established, you have done your duty. Anticipating the course of passion in future times, they say to the legislature, you shall not disgrace yourselves by exhibiting the indecent spectacle of judges established by one legislature removed by another. We will save you, also, from yourselves. We say these judges shall hold their offices, and surely, sir, to pretend that they can hold their office after the office is destroyed is contemptible.

And, as already shown, you deprive a man of his office when you deny him the right to perform the duties of the office.

Continuing Mr. Morris said further:

The framers of this Constitution had seen much, read much, and deeply reflected. They knew by experience the violence of popular bodies, and let it be remembered that since that day many of the States, taught by experience, have found it necessary to change their forms of government to avoid the effects of that violence.

Mr. President, what Senator Morris said in regard to the framers of the Constitution having seen much, read much, and deeply reflected, is pertinent to this discussion. His observation has been verified in the triumphant march of our great charter of government and of free institutions through a thousand tests and vicissitudes from that day down to this. They foresaw the evils that might flow from a judiciary made dependent and subservient by short or uncertain tenure of office. They foresaw that nothing would tend more to the growth and perpetuity of the Republic than the prompt and proper administration of justice with equality before the law. They foresaw the peril sure to hover about a system of government which left its judiciary to be selected or removed as party or factional exigency or legislative caprice might dictate, and, foreseeing as they did, they forestalled all such evil contingencies by providing that the judges in this great department of Government should hold their offices during good behavior.

We would not think of openly and directly changing a policy fixed by the Constitution. It is not a splendid performance to attempt such a thing in this devious and circuitous way.

On the score of good and faithful service, of the recognized mental ability of most men of education of good physical health at the age of threescore and ten as we see and know them every day of our lives, this is an unwise, an improvident, and a humiliating measure. The age of about one-eighth of the membership of this Senate is beyond 70 years, 26 Members are more than 65 years of age, while the average age of the 96 Members of this honorable body is about 58 years; and we have the daily exhibition of most untiring industry, of wisest counsel, and of splendid achievement on the part of men who have passed the seventieth milestone of their lives. They are found on both sides of this Chamber; the States they represent honor themselves and confer a benefit upon the Nation by continuing them in this most honorable and yet exacting public service.

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. STERLING. Yes.

Mr. SMITH of Georgia. Is it not true that the people have a chance every six years to retire Senators and that they have retired at least more than half of them before they were 70?

Mr. STERLING. But not on account of their age. It is admittedly true that some of the most eminent men in this honorable body have years since reached the age of three score and ten, and much of the most valuable service rendered the Senate and the country has been rendered by men of that age. I think the Senator from Georgia is well aware of that.

Mr. SMITH of Georgia. Is it not true that as amended the bill will leave such men on the bench and will only furnish efficient judges in the cases where the old judges have ceased to be efficient and where the people would retire Senators for inefficiency?

Mr. STERLING. Not necessarily so. It is in the power of the President, just as it was under the former language of the bill before the Senator from Georgia proposed to amend it this morning. He, the President, should not have the power to arbitrarily determine whether a judge is rendering efficient service or not. It was never contemplated that under the Constitution such power could be conferred upon him. The law itself provides for cases of inefficient service arising from disability or from urgency of business and for the designation of a judge or judges accordingly who are able to dispose of the business of the court.

Mr. President, we are not without further and contemporary reasons for this tenure of the Federal judiciary during good behavior—I mean reasons contemporary with the adoption of the Constitution itself. Who better than Alexander Hamilton foresaw the need of an independent judiciary? Who better than he saw the danger of any legislative limitation upon such

tenure? Who more clearly divined than he the delicate and difficult questions inherent in the Federal system itself, and which these courts, especially the Supreme Court, would be called upon to decide? Although the frame of Government and the distribution of its powers may not have been after the pattern advocated by Hamilton, it is certain that among those who labored for the adoption of the Constitution there were none who appeared quite so earnest or quite so powerful as he; none who better comprehended or more clearly interpreted its various provisions. With his usual sagacity and prescience he saw the advantages to accrue from a tenure during good behavior, not the least of which was that the judge under any age limit of service which the legislature would be likely to adopt, if it fixed a limit at all, might still be able to render the country his most efficient service. Addressing himself to this phase of the question, he says in the *Federalist*:

The want of a provision for removing the judges, on account of inability, has been a subject of complaint. But all considerate men will be sensible that such a provision would either not be practiced upon or would be more liable to abuse than calculated to answer any good purpose. The mensuration of the faculties of the mind has, I believe, no place in the catalogue of known arts. An attempt to fix the boundary between the regions of ability and inability would much oftener give scope to personal and party attachments and enmities than advance the interests of justice or the public good. The result, except in the case of insanity, must for the most part be arbitrary; and insanity, without any formal or express provision, may be safely pronounced to be a virtual disqualification.

The constitution of New York, to avoid investigations that must forever be vague and dangerous, has taken a particular age as the criterion of inability. No man can be a judge beyond 60. I believe there are few at present who do not disapprove of this provision. There is no station in relation to which it is less proper than to that of a judge. The deliberating and comparing faculties generally preserve their strength much beyond that period, in men who survive it; and when, in addition to this circumstance, we consider how few there are who outlive the season of intellectual vigor, and how improbable it is that any considerable proportion of the bench, whether more or less numerous, should be in such a situation at the same time, we shall be ready to conclude that limitations of this sort have little to recommend them. In a Republic where fortunes are not affluent and pensions not expedient, the dismissal of men from stations in which they have served their country long and usefully, on which they depend for subsistence, and from which it will be too late to resort to any other occupation for a livelihood, ought to have some better apology to humanity than is to be found in the imaginary danger of a superannuated bench.

But we do not rest this part of the case with Hamilton. We have the words of Story, a near contemporary and one of the most distinguished of the earlier Supreme Court Justices, as well as an authoritative interpreter of the Constitution. Justice Story, lamenting that unwise New York law which deprived the State of the judicial services of the great Chancellor Kent at the age of 60 years, and who began the writing of his great work "The Commentaries on American Law" at the age of 63, has this to say among other things in his work on the Constitution (5th ed., v. 2, p. 437):

The limitation of New York struck from its bench one of the greatest names that ever adorned it in the full possession of his extraordinary powers. I refer to Mr. Chancellor Kent, to whom the jurisprudence of New York owes a debt of gratitude that can never be repaid. He is at once the compeer of Hardwicke and Mansfield. Since his removal from the bench he has composed his admirable Commentaries, a work which will survive as an honor to the country long after all the perishable fabrics of our day shall be buried in oblivion. If he had not thus secured an enviable fame since his retirement, the public might have had cause to regret that New York should have chosen to disfranchise her best citizens at the time when their services were most important and their judgments most mature.

Even the age of 70 would have excluded from public service some of the greatest minds which have belonged to our country. At 80, said Mr. Jefferson, Franklin was the ornament of human nature. At 80 Lord Mansfield still possessed in vigor his almost unrivaled powers. If 70 had been the limitation in the Constitution of the United States, the Nation would have lost seven years of as brilliant judicial labors as have ever adorned the annals of the jurisprudence of any country.

And Rawle in his "A View of the Constitution," written in 1829, on page 278, most admirably vindicates the wisdom of the framers of the Constitution in making the provision they did for the tenure of Federal judges. He says:

In some States a power is given to the executive authority, on the application of a certain proportion of the legislature, to remove a judge from office. Reasons will occur both for and against such a provision. If a judge should be incapacitated by infirmity or age or be otherwise, without any fault of his own, prevented from performing his duties, he would not be a proper subject for removal by impeachment; yet, where duties can not be performed, the officer should not be continued. The incapacity should, however, be established in the specific case, and to lay down a general rule that on the attainment of a certain age the judge shall no longer be admitted to act may withdraw from the service of the public a person capable of being highly useful to them. In New York the commission expires at the age of 60 years; in Connecticut at 70 years; and thus their constitutions seem to intend to impose laws on nature itself or to drive from their own service men in whom may still reside the most useful faculties, improved by time and experience. The Constitution of the United States abstains from this error.

In prefiguring the capacity and achievements of men past three score and ten, Hamilton and Story spoke not alone as statesmen but as men who had seen much, read much, and deeply

reflected, and knew thence how to predict the future. They were prophets as well as statesmen.

Turning to the record, we find that of the 65 judges of the Supreme Court appointed from the beginning of the Government under the Constitution down to the present time, 27 or about three-sevenths of the entire number, have served beyond 70 years, the age of voluntary retirement. Among the 27 are 4 out of 9 Chief Justices, including the present most active, capable, and distinguished incumbent of that high office, and including, of course, those unrivaled luminaries of the greatest judicial tribunal in the world, ranking in order of greatness as in order of time of service, namely, Marshall, who died in the service at 80, and Taney, at the age of 87.

Three, or one-third, of the members of that great court as now constituted are past 70.

In view of these authorities and this record no man will have the hardihood to introduce a bill like this which would apply to the Justices of the Supreme Court; and yet no argument can be adduced in favor of the pending measure but which might not with equal reason and equal force be applied to the Supreme Court. On the other hand, all the wise counsel which we have inherited from the past and all the sane and reasonable arguments in favor of the principle of tenure during good behavior or for life and which find their complete vindication in the career and services of the Supreme Court Justices will with equal force and reason and with the same vindication apply to all Federal, circuit, and district court judges throughout the land.

Mr. President, there seems to be a strange obsession on the part of certain forces in this administration in regard to the age of Federal judges, both the age at the time of appointment and the age at which they should retire from the service. I recall a personal experience arising out of my advocacy of the appointment of an able and distinguished friend of mine to the position of circuit judge in place of Judge Grosscup, of Chicago, who had resigned. My friend served many years, I think 15 or 16, as one of the State circuit court judges in one of the great circuits in the State of Illinois. Following this service came several years of distinguished service on the appellate bench of Illinois. Throughout the State he was regarded as one of its most upright and able judges. Being in full possession of all his splendid powers of mind, he became an applicant for the place made vacant by the resignation of Judge Grosscup; but, unfortunately for him, he was past 60 years of age, and although I had the hardihood to interview the President himself in regard to the matter of my friend's appointment, the fiat had gone forth from the Department of Justice that no man should be appointed to a Federal judgeship who was more than 60 years of age. The splendid qualifications of the applicant were all recognized. Moreover, he agreed, if appointed, that on reaching the age of 70 years he would then retire from the service. But all in vain; he had passed the "dead line," and, in the opinion of the then Attorney General, was ineligible, and that opinion, and not a doubt as to the candidate's fitness or ability on the part of the Executive, controlled. With this as the strong predilection of the then Attorney General in regard to the age which should bar appointment to the Federal bench, it is not remarkable that he wrote the opinion on which the Senator from Georgia relies with such evident satisfaction.

Mr. SHERMAN. I wish to interrupt the Senator for a moment at this point.

Mr. STERLING. I yield to the Senator.

Mr. SHERMAN. If next to the last justice of the Supreme Court had not been appointed until November 13, 1916—I allude to Justice Brandeis—he himself would have passed the sixtieth year. He barely came within the limitation imposed by the Executive fiat referred to by the Senator.

Mr. STERLING. Yes.

Mr. SHERMAN. It shows how extremely arbitrary the application of the rule is as well as the narrowness of the rule itself.

Mr. STERLING. Yes, Mr. President; and partly along the same line referred to by the Senator from Illinois, I want to call attention here to some figures in regard to that, showing when appointments to the Supreme Court were made in a number of instances; that is, showing at what age the justices were appointed. Judge Lurton was appointed at 65 or 66; Justice Hunt, at 63; Justice Lamar, at 63; William Strong, at 62; Samuel Blatchford, at 62; Howell E. Jackson, at 61; Justice Holmes, at 61; Justice Shiras, at 60; Chief Justice Taney, at 59, and he served 28½ years after his appointment; Thomas Johnson, at 59; Gabriel Duval, at 59; J. P. Bradley, at 58, who served 22 years.

I have here, Mr. President, a list of 20 justices of the Supreme Court who served after 70 years of age. The judge with the shortest service was Justice Waite, who served 1½ years after

he reached the age of 70. The one with the longest service was Chief Justice Taney, who served 17½ years after he was 70 years of age. The average service of these 20 justices after they had reached the age of 70 years was 7½ years.

As I recall my personal experience, Mr. President, alluded to a moment ago, I found myself wishing, after I had gone through it, that there had been some further delimitation of the departments and powers of government in the Constitution, to put it mildly.

The distinguished Senator from Georgia may find various reasons for the capacity and serviceableness of old men on the bench. He may find it in the nature of the work of the judge, which for the most part is the quiet work of studying, examining, and comparing statutes and precedents, and by process of legal reasoning to which he has been long accustomed, applying them to the facts of the case in hand. The very temperament which makes him fit to be judge at all keeps him free from the passions involved in the case. To do justice between hotly contending attorneys and litigants he must maintain that poise and self-command which are most conducive to both bodily and mental health. So that we are enabled to say of many judges:

Though old, he still retained
His manly sense and energy of mind.

Shakespeare furnishes yet another reason. I think with rare exception it will apply to the bench if not to the bar:

Though I look old, yet I am strong and lusty; for in my youth I never did apply hot and rebellious liquors in my blood; and did not, with unwhimsical forehead, woo the means of weakness and debility: therefore my age is as a lusty winter, frosty but kindly.

But I find in these few words of Mrs. Gatty the noblest recognition of the value of the achievements and service to the world of the intellectual old man:

It is often the case with fine natures that when the fire of the spirit dies out with increasing age the power of intellect is unaltered or increased, and an originally educated judgment grows broader and gentler as the river of life widens out to the everlasting sea.

But why multiply instances or have recourse to the wisdom and achievements of age as embodied in literature. The men who had seen much, read much, and deeply reflected knew what duties would be imposed, what capacities and faculties would be required in their performance, and with this experience and knowledge before them they deliberately embodied the principle in the Constitution and gave to all Federal judges a life tenure. And so the Constitution is their shield, their protecting ægis. And there it shall stand forever, not only as a protection to those whose high function it is to interpret the law and administer justice, but a protection as well to the great public whom the judges serve.

CORRUPT PRACTICES.

During the delivery of Mr. STERLING'S speech, The PRESIDING OFFICER (Mr. JOHNSON of Maine in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes.

Mr. CURTIS. I should like to offer three amendments to the bill, and have them printed and lie on the table.

The PRESIDING OFFICER. They will be received and printed and ordered to lie on the table, without objection.

Mr. OWEN. Mr. President, I should like to ask other Senators who may have amendments that they wish to offer to the bill to supply them for the record so that the Senate may be advised.

Mr. WORKS. I have two or three amendments that I desire to propose to the bill, and if the Senator thinks it advisable I would be glad to have them printed.

Mr. OWEN. I would be glad if the Senator would have them printed for the information of the Senate, so that we may have an opportunity to see them.

Mr. SMOOT. The Senator does not ask that they be printed in the Record, but printed in the regular form?

Mr. OWEN. Printed in the regular form.

Mr. WORKS. Very well. I will submit two or three amendments that meet my view. I may desire to offer some very short amendments which it is not worth while to have printed in advance, but I am sending to the desk two amendments that I think it well to have printed now.

The PRESIDING OFFICER. The amendments will lie on the table and be printed.

Mr. OWEN. I venture to suggest to the Senator from South Dakota that the fact that the corrupt practices bill is now before the Senate need not interrupt his remarks, because he may under the rules proceed with his remarks, as he has not yet completed them.

Mr. STERLING. I was in some doubt as to the effect of laying the unfinished business before the Senate, but I will proceed and conclude my remarks at this time.

Mr. SMITH of Georgia. Before the Senator resumes I should like to state to the Senate that while the unfinished business of course takes precedence, if anything should happen that the unfinished business would not continue to occupy the Senate and it should be temporarily laid aside, I shall then ask that Senate bill 706 be taken up and proceeded with. I mention it now so that Senators may be advised. I do not know that anything of the kind will happen, but if there should be an interim I shall ask to fill it up with this bill.

The PRESIDING OFFICER. The Senator from South Dakota will proceed.

After the conclusion of Mr. STERLING's speech,

Mr. SMITH of Georgia. Mr. President, I desire to repeat that if at any time after 2 o'clock the bill which is now the unfinished business is not in a position to be pressed and is temporarily laid aside, I shall at once ask that the judicial bill which we have been considering this morning receive immediate consideration. I mention that lest anyone might be surprised by the bill being called up later on in the afternoon.

Mr. CLARK. Mr. President, can that be done without making the bill the unfinished business, under the rules of the Senate? It certainly hardly seems just that those who are interested in the one bill, and perhaps not interested in the other, should be compelled to be in attendance at all times, unless the bill referred to by the Senator from Georgia shall become the unfinished business, so as to require such attendance.

Mr. SMITH of Georgia. I suppose really the place for all of us all the time when the Senate is in session is on the floor of the Senate Chamber.

Mr. CLARK. Well, the Senator from Georgia may make that observation—

Mr. SMITH of Georgia. I thought the Senator was through. If I am mistaken in that, I will wait on him.

Mr. CLARK. No, Mr. President; I was not through.

Mr. SMITH of Georgia. Then I will wait until the Senator has concluded.

Mr. CLARK. I ask for a ruling upon the question whether what the Senator from Georgia suggests can be done without making the bill the unfinished business and displacing the corrupt-practices act.

Mr. OWEN. Mr. President, as I understand the suggestion of the Senator from Georgia, it merely is to the effect that, in the contingency of the unfinished business being temporarily laid aside, he intends to be in his seat on the floor of the Senate and then to move to take up this other matter.

Mr. CLARK. So far as that is concerned, of course, there would be no objection to it; but as for taking up the bill—

Mr. SMITH of Georgia. I only mentioned that so Senators who are interested in the measure might not be taken by surprise if it happened; that was all. It was intended only as a courtesy to those who are interested in this bill, and not as a discourtesy.

Mr. CLARK. Yes; but my parliamentary question went a little further than the Senator from Oklahoma [Mr. OWEN] seems to indicate. If after 2 o'clock the bill of the Senator from Georgia is taken up on motion it becomes, to my notion, the unfinished business and displaces the bill of the Senator from Oklahoma.

Mr. OWEN. I think that would be quite true, Mr. President, but it is not the intention of those in charge of the bill to limit expenses in political campaigns to neglect to press that bill. Their purpose is to dispose of that bill, and I shall certainly be diligently at hand to ask the Senate to pass upon the suggested amendments and to dispose of the bill, I hope, very soon.

Mr. CLARK. The only purpose of my inquiry was to ascertain whether or not we are to have one unfinished business a part of the day and another bill as the unfinished business for the balance of the day.

Mr. OWEN. No; that can not be understood, and there is only one unfinished business. I think there is nothing more in the suggestion of the Senator from Georgia than that he would be in his seat prepared to press his bill in case the unfinished business were temporarily laid aside. There are some Senators who are not quite prepared to offer amendments which they desire to offer. The Senator from North Dakota [Mr. GRONNA], I understand, has some amendments which he wishes to offer, but which he has not yet prepared. The Senator from California

[Mr. WORKS] has some which he is going to submit this afternoon, I believe. I understand there are some amendments offered this morning by the Senator from Kansas [Mr. CURTIS] to be printed, which I think would necessarily carry the bill over until to-morrow, because the Senate would not want to act upon the bill until the amendments shall have been printed.

Mr. CLARK. But, if the Senator will pardon me, if the Senator from Georgia in that event should come in with his motion to take up the judicial bill and that motion should prevail, then to-morrow the judicial bill would still be the unfinished business, and the Senator from Oklahoma could only again get his bill before the Senate as the unfinished business by displacing by motion and vote of the Senate the judicial bill.

Mr. BRANDEGEE. Mr. President, will the Senator allow me to ask him a question?

Mr. CLARK. Yes.

Mr. BRANDEGEE. Does the Senator think where the unfinished business after 2 o'clock is laid aside temporarily by unanimous consent, and then the Senate proceeds to take up some other measure for that afternoon with which to occupy itself, that the previous piece of unfinished business has been displaced?

Mr. CLARK. I think so, if it is taken up by motion.

Mr. BRANDEGEE. I wanted to get the Senator's idea about that. I have not been of that opinion.

Mr. CLARK. If it is taken up by motion, that would be true; but if it is taken up, nobody objecting, then it would not be true.

Mr. BRANDEGEE. I had supposed, Mr. President, that where the unfinished business was only temporarily laid aside and where that was done by unanimous consent, then, even if another matter was taken up by motion that afternoon, the unfinished business having only been temporarily laid aside, it retained its place as unfinished business. I may be mistaken about that.

Mr. OWEN. That is the practice of the Senate, I am sure.

Mr. SMITH of Georgia. It has undoubtedly been the ruling of the Chair and it has been the ruling of the Senator from Connecticut. I think that is the accepted rule of the Senate.

If the Senator from Wyoming will permit me, I desire to say that I had been told that there were Senators upon his side of the Chamber who might not be ready to go on this afternoon, that it might be necessary to temporarily lay aside the bill which is now the unfinished business, and that it might be necessary, in order to accommodate Senators on his side of the Chamber, to temporarily lay aside the unfinished business. That being true, we would accomplish something by adopting my suggestion, and I thought it would be a matter of convenience to mention to Senators upon the other side that if such a contingency happened I should be here to move to take up the bill that we are now considering. That is the whole of it.

Mr. CLARK. I wanted to get an understanding of the matter. My understanding is, if the present unfinished business is laid aside and after 2 o'clock another bill comes before the Senate upon motion and vote taken, that the present unfinished business is displaced as the unfinished business.

Mr. OWEN. That would be true, but under no circumstances would those in charge of this bill do more than ask unanimous consent to lay aside the unfinished business temporarily, without losing its place.

Mr. CLARK. Well, but we do not get any closer together, of course, because my notion is that it is not a question of agreement, but is a question of legislative procedure, that a bill taken up after 2 o'clock becomes the unfinished business and displaces any unfinished business then upon the calendar. With that view the Senator from Connecticut [Mr. BRANDEGEE] does not agree.

Mr. BRANDEGEE. Mr. President, in order to make myself clear about that, if I do not interrupt the Senator, my idea was that where the Senate by unanimous consent agreed that a bill should be only temporarily laid aside, it meant that it should not be displaced. There is no other meaning to be given to the words "temporarily laid aside," except that a measure is not permanently laid aside or displaced.

Mr. OWEN. That is my understanding of the rule.

Mr. GALLINGER. Mr. President, just a word. I quite agree with the Senator from Wyoming [Mr. CLARK] that if a bill is laid aside, whether it be temporarily or otherwise, and another bill is taken up on motion, that that bill becomes the unfinished business. Any one Senator can object to a bill being temporarily laid aside, if that is necessary to enforce the position which the Senator from Wyoming and the Senator from New Hampshire take in this matter; but of course the Senator from Oklahoma could on the next day move to take up his bill and the probability is that the Senate would support him in that motion, as he has had the right of way and ought not to be deprived of it on any motion to take up any other bill.

Mr. OWEN. Mr. President, I think to avoid any embarrassment about it I shall insist upon this bill being disposed of.

Mr. SMOOT. Mr. President, in looking up the precedents of the Senate I find them on both sides of this question.

Mr. GALLINGER. They are.

Mr. SMOOT. I notice that former Vice President Sherman held that where—

The PRESIDING OFFICER. If the Senator from Utah will pardon the present occupant of the chair, he will state that the unfinished business has not been temporarily laid aside. The hour of 2 o'clock having arrived, the present occupant of the chair laid the unfinished business before the Senate. The Senator from South Dakota [Mr. STERLING] was then proceeding with a speech upon another measure, and he continued to speak, the Chair presumed by parliamentary fiction, upon the unfinished business; but the unfinished business never has been temporarily laid aside, and is still before the Senate as the pending business, with the amendment of the Senator from Pennsylvania [Mr. PENROSE] pending.

Mr. OWEN. I will say, Mr. President, to avoid any unnecessary debate about the parliamentary status, that the bill will not be temporarily laid aside.

Mr. SMOOT. Then there is no need of discussing the question further.

Mr. OWEN. No.

Mr. GALLINGER. Mr. President, I will suggest to the Senator from Oklahoma two or three amendments simply to correct the phraseology of the bill. Running through the bill the words "Representative in Congress" are used except in three instances where the expression "Member of the House of Representatives" is employed. Those words are incorrect.

Mr. OWEN. I should be very glad to have an amendment covering that made.

Mr. GALLINGER. If the Senator will turn to page 18, line 24, he will notice that phraseology. I move to strike out, on that line and page, the words "Member of the House of Representatives" and insert "Representative in Congress."

Mr. OWEN. I will be glad to accept the proposed amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GALLINGER. On page 37, line 2, I move the same amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GALLINGER. There is one other place, I think, where the same change should be made. On page 38, lines 20 and 21, I move the same amendment.

Mr. OWEN. I will be glad to accept the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GALLINGER. I will say to the Senator from Oklahoma that that makes the phraseology uniform throughout the bill, and in every respect correct.

Mr. OWEN. That is an obvious improvement of the language, Mr. President, and I am glad to accept it.

Mr. GALLINGER. There is language on page 44, line 16, which perhaps is correct and still it strikes me as being rather vague. I read from the bill, commencing in line 14, page 44:

For the purpose of influencing or attempting to influence, through any printed matter in such newspaper or other periodical, any voting at any election or primary through any means whatsoever.

Perhaps, as I have said, the language is correct, but still it is rather awkward.

Mr. OWEN. It is awkward.

Mr. GALLINGER. I simply call the Senator's attention to it, and perhaps he will desire to change it.

Mr. OWEN. The words "at any primary or other election" would probably cover that.

Mr. GALLINGER. I think so.

Mr. OWEN. I move to make that change in the language so that, on page 44, line 16, it will read "at any primary or other election."

The PRESIDING OFFICER. The amendment will be stated. The SECRETARY. On page 44, line 16, after the word "any," it is proposed to strike out the words "election or," and after the word "primary" to insert "or other election," so as to read "at any primary or other election through any means whatsoever."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. OWEN. Mr. President, the Senator from Pennsylvania [Mr. PENROSE] gave notice yesterday that he would offer certain amendments.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Pennsylvania.

Mr. SHERMAN obtained the floor.

Mr. GALLINGER. Mr. President, before the Senator from Illinois proceeds, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	Norris	Smoot
Borah	Husting	Oliver	Sterling
Brady	James	Overman	Stone
Brandeggee	Johnson, Me.	Owen	Sutherland
Bryan	Johnson, S. Dak.	Page	Swanson
Chamberlain	Jones	Phelan	Thompson
Chilton	Kenyon	Pittman	Tillman
Clark	Kern	Poindexter	Townsend
Culbertson	Kirby	Pomerene	Underwood
Cummins	La Follette	Reed	Vardaman
Curtis	Lane	Saulsbury	Wadsworth
Dillingham	Lee, Md.	Shafroth	Walsh
Fernald	Lippitt	Sheppard	Warren
Gallinger	McCumber	Sherman	Watson
Gronna	Martin, Va.	Shields	Weeks
Harding	Martine, N. J.	Simmons	Williams
Hitchcock	Nelson	Smith, Mich.	Works
Hollis	Newlands	Smith, S. C.	

The PRESIDING OFFICER. Seventy-one Senators have responded to their names. There is a quorum present.

Mr. SHERMAN. Mr. President, I find in the bill under consideration, on page 31, in a paragraph of section 10, the provision that—

The aggregate of all disbursements made for the purpose of aiding, influencing, or controlling, or attempting to aid, influence, or control, each nomination or election of any United States Senator, shall not exceed the sum of \$5,000.

That language is not exactly definite. I am not able to say whether a candidate can expend \$5,000 for the nomination and then an additional \$5,000 for the election, or whether one sum of \$5,000 must cover both the nomination and the election. If the sum indicated is intended to cover both, it is entirely inadequate. It might be that \$2,500 for each would be proper for a State of limited population or territory, but it would not be adequate for the average large State.

This limitation of \$5,000 is upon the expenditure made by the campaign committee. In section 14, on page 40, is an enlargement of that sum. It uses the following language:

Any person may, in connection with his candidacy for nomination or election as a United States Senator or as a Representative in the Congress of the United States, incur and pay from his own private funds all necessary personal expenses for his traveling, for stationery, circulars, advertising, postage, and for telegraph and telephone service, without being subject in respect thereto to the provisions of this act: *Provided*, That an account shall be kept of all moneys expended for circulars and advertising authorized by this section, which shall be reported in the statements required by this act as an addenda thereto, but not subject to the limitations in amount fixed by section 10 of this act.

It seems to me that this limitation in section 14 on the amount to be expended out of the candidate's own private funds creates an undue discrimination among candidates. In a State of any size, Mr. President, unless the candidate is possessed of ample private means, how can he make a campaign that is adequate to that State? This is an artificial and a purely arbitrary limitation. It is subject to some of the criticisms made on this provision on this side of the Chamber at the first session of this Congress when the bill was under consideration last August and the fore part of September, 1916. On behalf of the minority side I again call the attention of the authors and supporters of this bill to the difference in the legitimate expenditures that may be made.

In the State of Nevada the total vote is about 21,000; in the State of Arizona about 23,000; in the State of Oklahoma about 253,000. I am giving now the returns of 1912, and proportionately the percentages will hold good, approximately, for 1916. In the State of New York about 1,600,000 male votes were cast in 1912; in the State of Pennsylvania a somewhat smaller number, say, one million four hundred and some odd thousand. I am quoting now merely from memory. In the State of Illinois one million one hundred and some thousand votes were cast in 1912. In 1916, Mr. President, nearly 2,000,000 votes were cast in Illinois—1,114,000, or nearly 1,200,000 male votes and quite 800,000 female votes. Approximately 2,000,000 votes are to be reached in every primary and in every election in the event of the universal right of suffrage, which in due time is likely to prevail. In the State mentioned, where nearly 2,000,000 votes actually were cast on the 7th of November, 1916, if an ordinary expense account were to be paid out of the pocket of the candidate without contributions it would make ineligible the average candidate in either the Democratic or the Republican Party. The expenses of reaching any considerable number of the voters in a direct primary would run far beyond the sums that the average person would like to expend from his private fortune.

Section 14 entirely prohibits any contributions from an outside source. In other words, my neighbor who might wish to contribute \$500, or 10 of my neighbors who might wish to contribute \$5,000, for my necessary personal expenses would be prohibited under the provisions of section 14 from contributing one dollar. All those men could do would be to contribute to the campaign committee. The campaign committee, under the provisions of section 10, already referred to, would report for publicity purposes all of the contributions, giving the name of the donor and the amount donated. But when it came to my personal expenses, after the committee had expended \$5,000 obtained from miscellaneous sources, no further expenditures could be made unless out of the candidate's private pocket. No friend could contribute a dollar; no organization political in character could contribute anything to my personal expenses. The personal expenses of every candidate beyond the \$5,000 that might be met by the committee would be a charge on the private means of the candidate himself.

At the close of the last session of this Congress I alluded to some of the legitimate expenses in a campaign for either a primary or an election, especially in the larger States. As I remember, I quoted there some figures, and I repeat them now, because the same inhibition is visited upon the candidate in the redrafted bill as in the original bill. I had a mailing list myself of 215,000 voters who were Republicans in more than active political life, meaning something more than the average voter of my party, having more than the average acquaintance in his precinct, township, or city ward, and taking more than a merely casual interest in the results of primary contests.

A 1-cent letter, Mr. President, had as well be unsent. If it can not be a 2-cent letter mailed to the voter, it will meet the usual fate of all such communications; its destination is the wastebasket and not the voter. We go on the idea that a 2-cent stamp is indispensable. Outside of the stationery, the printing, and the clerical bills required in reaching the mailing list of 215,000 voters in a direct primary contest, it requires of itself \$4,300 for a single circular letter sent out in a sealed envelope under a 2-cent stamp, but the continual advance in the number of voters increases this legitimate expense. With a 2-cent stamp, every time the letter is repeated it repeats the expense of \$4,300. The expenses of a direct primary and an election under the popular form of election could aggregate, under this method, \$1,000,000, and still, Mr. President, every dollar of it would be a legitimate expenditure.

There is no corruption in appealing to the voter's understanding. There is no corruption in contributions by friends for the purpose of reaching the voter's understanding in a legitimate way. I do not anticipate that nominations will go in the future alone to those possessed of wealth. I have an idea that in the future, as in the past years, they will go many times to persons in moderate circumstances. If this limitation in section 14 should persist in some 9 or 10 States of the Union it will be impossible for a candidate to make a direct primary fight, followed by the direct election of a Senator, unless he is possessed of more than the average means.

I know Senators who are sitting in this Chamber now who could not have afforded to make a direct primary fight within the last 20 years if the same rules of political activity had been applied to them that have been applied in the last two years, since 1914 and including 1916. Instead of improving the characteristics of this body, these limitations will have a tendency to deteriorate them. There are enough difficulties now in the way of reaching a seat in this Chamber without adding those of section 14.

If I departed for a moment from the cold reasoning that belongs to election returns and to the legitimate expenses of a campaign, I would make the prediction, Mr. President, that in a 20-year period the seats of men in this body will change oftener, their tenure of office will be less, in the large States where political majorities are uncertain, than in the past. In a large State, Mr. President, under a direct primary, with the direct election of United States Senators, the constant tendency will be to shorten the tenure of office of every Senator. It is not within the limits of physical endurance, it is not within the campaigning possibilities of any Senator, nor is it within the reach of the pocketbook of any man in moderate circumstances, to make the continual fights that are required in the large States of New York, Pennsylvania, Ohio, Illinois, and similar States, and remain in his seat long. The smaller States have favorable conditions presented to them for keeping their Senators here for life. I would prefer to represent a smaller State territorially and in population, like the State of Arizona, Nevada, or Delaware, rather than the larger States, even the Empire State of New York, because of these constant contests, the immense burden and the difficulties inherent in political

factional fights within the lines of one's own party, as well as the limits of physical endurance consequent upon the protracted and lengthy fights for a nomination, followed by those of an election.

As it is, under present conditions a candidate of moderate means can have his expenses in part paid by friends who contribute. We have published in the CONGRESSIONAL RECORD, on behalf of both parties, the campaign expenses on the national ticket. I do not think any of them have been complete. In all probability the amounts are too small. We have not, probably, in the last campaign diminished those amounts. Very likely the money spent both by the Democratic Party and the Republican Party in the 1916 campaign will never be accurately known.

For my part, Mr. President, this limitation of section 14 would impose upon me and my colleague, in the event of our future candidacies, the payment of such sums of money as would practically, if we made anything like a detailed fight, make it an impossibility for us to meet it. With the 800,000 new voters in my own State, Mr. President, I apprehend that campaign expenses will be legitimately increased. There is enough trouble in meeting the new issues. A campaign can not be conducted in the future as it has been in the past 20 years. New methods of reaching the voter must be devised. It takes a new form of campaign letter. I think if I had to reach the whole 800,000 in my own State I would have to give a separate campaign letter to each one of them, and about 55 per cent of them are Republicans, as shown by the last returns. This would take a separate campaign letter addressed to them on campaign issues. It requires more detail and more explanation.

Mr. SMITH of Michigan. I will ask the Senator whether women vote for Senators in his State?

Mr. SHERMAN. No; but it is a mere question of time when they will. They vote for President; they vote for electors, and they voted pretty cheerfully. They seemed to want to get to the polls. They wanted to be informed; and still, politically—and I intend to vote for the Anthony amendment, Mr. President—politically, every one of the 800,000 women is in the primary class, in the A, B, C of politics. I can write a letter to the average male voter presuming that I am not obliged to spell every word in politics and to indulge in a discussion of elemental things that are well known by the average voter who has been voting for some years. That can not be done when a new State is suddenly introduced to the universal suffrage. It takes a different campaign letter; it takes a different campaign address; it takes a different campaign argument. Cigars do not go—not even cigarettes. [Laughter.] I do not know whether millinery and the latest styles of ribbons, or what, would appeal to the voters. You could stamp your campaign badges on all the colors of the rainbow, and still, under section 14, if you paid for it yourself, it would be a proper campaign expenditure. If you could not, your millionaire competitor would pay for the merchandise and get the votes.

It seems to me that section 14 makes this limitation bear very heavily upon a candidate. If he goes beyond the \$5,000 expended by the committee, he must pay it out of his own pocket. If any of his friends contribute, he will be unsent on a contest. In addition to that, under the provisions of this bill, he will subject himself to penalties. The bill declares it to be a felony, and provides for fine and imprisonment as well as for his being deprived of his seat.

I have seen a good many of the primary laws of the different States. They vary in their requirements. Under the primary laws of some States a very simple process is observed. It costs but little money. The contests are not strenuous; they are not long continued; and they are comparatively inexpensive. In others the reverse is true. The contests are extremely expensive and exhausting upon the candidate. There is no distinction in section 14 or in section 10 as to the kind of State or the character of the controversy in which the candidate engages.

These are some of the matters that go to the form as well as the substance of the measure. It is not my purpose, Mr. President, to discuss at any length the reasons that underlie such legislation, nor do I intend to go at length into the question. I wish to submit only those two observations on section 10 and on section 14 for the consideration of the Senate and hope that there may be some proper amendment that will enlarge section 14 so that the burden may not be such as to make it obligatory upon the candidate to be possessed of wealth before he is eligible to enter the lists.

I content myself at this time with these observations, Mr. President.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The bill is before the Senate as in Committee of the Whole. The

question is upon the amendment of the Senator from Pennsylvania [Mr. PENROSE].

Mr. PENROSE. Mr. President, do I understand that my amendment is up? I offered it yesterday and asked to have it lie on the table. I did not expect it to be voted on to-day. I expect to address the Senate on the amendment, but I am not prepared this afternoon in any way. I do not think the parliamentary status of the amendment is that it is up to be voted on. I offered it and asked, as the RECORD will show, to have it lie on the table in order to be printed. It was not printed yesterday, and it has been only a few hours since Senators have had copies of it. I have not had a chance to examine it myself to know whether it has been correctly or accurately printed, and I do not understand that the amendment is anywhere except on the table to be called up. Moreover, it provides for two additional sections to the bill; and it seems to me that the Senate, in logical procedure, would consider amendments to the body of the bill and to the preceding sections before they take up the consideration of my two amendments, which are two additional sections to come at the end of the measure.

Mr. OWEN. Mr. President, several minor amendments have been agreed to during the day, but I do not wish to press the Senate unduly with regard to the matter. I am only anxious that we dispose of it as promptly as possible. Several amendments have been ordered printed and have gone over until tomorrow, and there are several other amendments intended to be offered by other Senators.

I realize that we have just assembled here, and it has been difficult for Senators to get their minds on this bill when we are just meeting in this way. It is a very important measure. Some objections have been pointed out which seem to me justified, and the only reason why I went on with the measure was because I was advised by Senators on the other side of the Chamber that if I did not do so it would be displaced by moving to substitute some other measure. If we might, by unanimous consent, agree that this bill should take its place tomorrow as the unfinished business, I would be glad to move to lay it aside temporarily.

Mr. PENROSE. There will be no difficulty in getting that consent, I think, Mr. President.

Mr. OWEN. I ask that consent.

Mr. SMOOT. Mr. President, just a moment. Let me suggest to the Senator having the bill in charge that I believe time would be saved if the Senate would take an adjournment now, so that we can prepare the amendments to which he has already referred. It is half-past 3 o'clock now. That would give us a couple of hours to work in our offices, and then we could perhaps work at home to-night.

Mr. OWEN. I think that is a good suggestion.

Mr. SMOOT. I want to say to the Senator that there is no disposition whatever to put aside action upon this bill, but I take it for granted that the Senator from Oklahoma, like every other Senator, wants it perfected. The only way to do that is to give Senators time, now that it has been discussed somewhat, to prepare what they think would serve best to make the bill workable.

Mr. OWEN. I am glad to be able to say to the Senator that I have received many assurances from Members on that side of the Chamber that they desire in good faith to perfect this bill, and that is all I want. I am glad to have that spirit exhibited. In view of that suggestion, I feel justified in asking that the bill be laid aside temporarily, and then I will move that the Senate adjourn, to give the opportunity to which the Senator refers.

Mr. PENROSE. It is not necessary to lay the bill aside. If the Senate adjourns, the bill is still the unfinished business.

Mr. OWEN. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 28 minutes p. m.) the Senate adjourned until tomorrow, Thursday, December 7, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 6, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Take us, O God our heavenly Father, into Thy nearer presence, even into the Holy of Holies, that we may be purified, strengthened, and inspired by the touch; and be prepared to enter upon the new duties of the hour with confidence, earnestness, and courage; and thus quit ourselves like men, as followers of the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

NATIONAL ARCHIVES BUILDING.

The SPEAKER. In the last session there was a letter ordered printed about the national archives building that should not have been ordered printed. Without objection, the order to print it will be canceled.

There was no objection.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The unfinished business is H. R. 563, the Rayburn bill.

Mr. MANN. What bill is that?

The SPEAKER. Union Calendar 105, H. R. 563, a bill to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The bill that the Speaker refers to was called up by the gentleman from Georgia yesterday, on what was called the ordinary call of committees—not on Calendar Wednesday.

The SPEAKER. Yes.

Mr. MANN. Without referring to the fact that he could not call up that bill yesterday, a question arose early in the present Speakership as to whether a bill, being the unfinished business on the ordinary call of committees, should be taken up as the unfinished business on Calendar Wednesday and vice versa; and the present Speaker, reversing the ruling of the former Speaker, Mr. CANNON, held that there were two calls of committees, one the Calendar Wednesday call and one the ordinary call, and decided that the call on Calendar Wednesday did not rest with the committee called on the ordinary call, but that the unfinished business on Calendar Wednesday went over until the succeeding Calendar Wednesday, and that the call of committees on the ordinary call went over until the next ordinary call of committees.

The SPEAKER. The Chair adheres to that ruling. What misled the Chair was the fact that this bill was lying here on the table, and the Chair supposed that it was the Barnhart printing bill. The Chair thinks that his former ruling was correct.

Mr. ADAMSON. I should like to ask if the call does actually rest with the Committee on Interstate and Foreign Commerce on Calendar Wednesday?

Mr. MANN. It rests with the Committee on Rivers and Harbors.

Mr. ADAMSON. That was my impression. I know I had parts of two days, and when I insisted that I ought to have the right to another day the gentleman from Illinois [Mr. MANN] remarked that we had been lucky in getting through the bills that we did consider; but when I saw that we were still marked on the calendar as entitled to be called I hoped that I would be permitted to put in the few hours I was entitled to in order to make up two full days, in order to call up a couple of bills that are not only very innocent, but that would be very beneficial if they could be enacted.

The SPEAKER. The gentleman states that he had a piece of time left. How much time?

Mr. ADAMSON. I think about half of each day.

Mr. MANN. Oh, the gentleman had his two days under the call.

Mr. ADAMSON. I know my committee was called on two days, but I did not have anything like two full working days.

SEVERAL MEMBERS. Eight-hour days. [Laughter.]

The SPEAKER. The law does not take any account of pieces of days.

Mr. ADAMSON. Then they ought not to be counted against me.

The SPEAKER. The gentleman ought not to have taken a piece of a day. He ought to have got a whole one.

Mr. MANN. He could not help himself about that.

Mr. ALEXANDER. I understand that the call rests with the Committee on Rivers and Harbors to-day. Am I correct?

The SPEAKER. The Clerk says you are. The Clerk will call the committees.

The Committee on Rivers and Harbors was called.

The Committee on the Merchant Marine and Fisheries was called.

Mr. ALEXANDER. Mr. Speaker, I have a bill which I desire to call up.

The SPEAKER. The House will first receive a message from the President.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

ADVISORY COMMITTEE FOR AERONAUTICS (H. DOC. NO. 1448).

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

In compliance with the provisions of the act of Congress approved March 3, 1915 (naval appropriation act—Public, No. 273, 63d Cong.), I transmit herewith the second annual report of the National Advisory Committee for Aeronautics, for the fiscal year ended June 30, 1916.

WOODROW WILSON.

THE WHITE HOUSE, December 6, 1916.

The SPEAKER. This message will be printed and the message and accompanying documents will be referred to the Committee on Naval Affairs. Accompanying the message is a great bundle of documents, which for the present will not be printed.

JACOB HOFFMAN (NAEGER) (H. DOC. NO. 1447).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Foreign Affairs and ordered to be printed:

To the House of Representatives:

I transmit herewith a report from the Secretary of State, with an accompanying paper, in response to the resolution adopted by the House of Representatives on August 18, 1916, requesting him to furnish to the House of Representatives certain information regarding the case of Jacob Hoffman (Naeger), arrested and detained by the military authorities at Victoria, British Columbia.

WOODROW WILSON.

THE WHITE HOUSE, December 6, 1916.

CUSTOMS COLLECTION DISTRICTS (H. DOC. NO. 1449).

The SPEAKER laid before the House the following message from the President of the United States, which was referred to the Committee on Ways and Means and ordered to be printed:

To the Senate and House of Representatives:

The sundry civil act approved August 1, 1914, contains the following provision, viz:

The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided*, That the whole number of customs-collection districts, ports of entry, or either of them, shall at no time be made to exceed those now established and authorized except as the same may hereafter be provided by law: *Provided further*, That hereafter the collector of customs of each customs-collection district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated, and the President is authorized from time to time to change the location of the headquarters in any customs-collection district as the needs of the service may require: *And provided further*, That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder and the reasons therefor.

Pursuant to the requirement of the third proviso to the said provision, I have to state that customs-collection districts Nos. 2 and 3, with headquarters ports at Burlington and Newport, Vt., were, on November 21, 1914, by Executive order effective January 1, 1915, consolidated into one customs-collection district, No. 2, with headquarters at St. Albans. This consolidation was made for the reason that the customs business in the State of Vermont could be handled by one collector and would result in a reduction of the expenses of administration.

The port of entry at Somers Point, N. J., in district No. 11, headquarters port, Philadelphia, was abolished by Executive order dated November 30, 1915, to become effective January 1, 1916, for the reason that the customs business at said place was not of sufficient volume to warrant the expenditure necessary to continue the office.

The port of entry at Charlotte, N. Y., in district No. 8, headquarters port, Rochester, N. Y., was abolished by Executive order dated January 28, 1916, to become effective February 1, 1916, for the reason that Charlotte had been by the laws of the State of New York included within the corporate limits of and merged with the city of Rochester.

By Executive order dated February 7, 1916, the boundary line between district No. 29, Oregon, and district No. 30, Washington, was changed so as to detach that part of the State of Washington which embraces the waters of the Columbia River and the north bank thereof west of the one hundred and nineteenth degree of west longitude from the customs-collection district No. 30, and to place the same within the limits of district

No. 29. This action was taken in order to facilitate the transaction of customs business on the north bank of the Columbia River.

By Executive order dated April 24, 1916, to become effective May 1, 1916, Winston-Salem, N. C., was created a port of entry in customs-collection district No. 15, headquarters port, Wilmington, N. C., for the reason that a commercial necessity existed which warranted such action.

By Executive order dated November 21, 1916, to become effective December 1, 1916, Gladstone, Mich., headquarters port, Detroit, Mich., was abolished for the reason that the customs business had been removed to Sault Ste. Marie, Mich.

WOODROW WILSON.

THE WHITE HOUSE, December 6, 1916.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MYERS, Mr. THOMAS, and Mr. SMOOT as the conferees on the part of the Senate.

WILLIAM H. G. MURRAY (ALIAS HENRY GORDON).

By unanimous consent, at the request of Mr. MOORE of Pennsylvania, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of William H. G. Murray (alias Henry Gordon), H. R. 16140, Sixty-fourth Congress, first session, no adverse report having been made thereon.

FISH-CULTURAL STATIONS IN CERTAIN STATES.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill H. R. 15617, on the Union Calendar, reported from the Committee on Merchant Marine and Fisheries.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Indiana [Mr. BARNHART] in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15617) to establish fish-hatching and fish-cultural stations in the States of Alabama; Louisiana; Florida; Georgia, South Carolina, or North Carolina; Maryland or Virginia; Oregon or Washington; Texas; Oklahoma; Illinois; Washington; Arizona; New Mexico; Michigan; Idaho; Missouri; Pennsylvania, Delaware, or New Jersey; and Minnesota.

Be it enacted, etc., That the following sums, or so much thereof as may be necessary, be, and the same are hereby, authorized to be appropriated for the establishment of fish-hatching and fish-cultural stations in the States hereafter named at suitable points indicated hereafter, to be selected in the discretion of the Secretary of Commerce, including purchase of sites, construction of buildings, and equipment:

State of Alabama, \$50,000.
State of Louisiana, \$50,000.
State of Florida, \$50,000.
Migratory fish station on the South Atlantic coast, in Georgia, North Carolina, or South Carolina, \$50,000.
State of Maryland or Virginia, for the special study of fish diseases and problems in propagation of fish, \$40,000.
State of Oregon or Washington, along the Columbia River Basin, \$50,000.
State of Texas, northwestern section, \$50,000.
State of Oklahoma, \$50,000.
State of Illinois, \$50,000.
State of Washington, on the Quinault River or its tributaries, or on Lake Quinault, \$50,000.
State of Arizona, \$50,000.
State of New Mexico, \$50,000.
State of Michigan, \$50,000.
State of Idaho, \$50,000.
State of Missouri, \$50,000.
State of Pennsylvania, Delaware, or New Jersey, on the lower Delaware River, \$50,000.
State of Minnesota, \$50,000.
State of Texas, on or along the Gulf coast, for the propagation of sea fish, \$50,000.

Provided, That before any final steps shall have been taken for the construction of a fish-hatching and fish-cultural station in accordance with this act the States herein named, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery shall be discontinued whenever the State ceases to accord the right referred to in the preceding proviso, and may be suspended by the Secretary of Commerce whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

Mr. ALEXANDER. Mr. Chairman, I wish to inquire if there is any limitation under the rule for general debate on this bill?

The CHAIRMAN. The rule limits general debate to two hours.

Mr. ALEXANDER. Is the time to be equally divided?

The CHAIRMAN. The rule provides that the time shall be equally divided.

Mr. ALEXANDER. The gentleman from Massachusetts [Mr. GREENE] is the ranking minority member and will control the time on that side.

Mr. MANN. The time is to be equally divided between those in favor of the bill and those opposed.

Mr. ALEXANDER. I do not know who is opposed to the bill.

Mr. MANN. The gentleman will probably discover who is opposed to it.

The CHAIRMAN. The Chair will inquire if there is any disposition to debate the bill?

Mr. ALEXANDER. I do not know of any.

Mr. MANN. I think some one will debate the bill. None of these pork-barrel bills can get through without debate.

Mr. BORLAND. Mr. Chairman, the rule requires that an hour be given to those who oppose the bill. If there is no one opposing the bill, then there will be but one hour for those in favor of the bill?

The CHAIRMAN. That is evidently correct.

Mr. MANN. I have no doubt that when the time comes some one will be recognized in opposition to the bill.

Mr. ALEXANDER. I have no desire to cut off anybody. I simply desire to clear up the situation.

The CHAIRMAN. The Chair will state that those who are not in favor of the bill will be protected in the matter of debate.

Mr. ALEXANDER. Mr. Chairman, I wish to say a few words in a brief discussion of the bill. This bill provides for the establishment of 18 fish hatcheries and fish-cultural stations in the different States in the Union named in the bill, and authorizes an expenditure of \$890,000 for that purpose. No bill is included in this omnibus bill that has not been favorably recommended by the Department of Commerce. Every bill incorporated in the present omnibus bill, with possibly one or two exceptions, was incorporated in an omnibus fisheries bill reported from the Committee on the Merchant Marine and Fisheries in the last Congress, but was not reached on the calendar for consideration and passage.

I have been a member of the Committee on the Merchant Marine and Fisheries for 10 years past, and during that time bills have been reported out for fish hatcheries and fish-cultural stations, but very few of them were considered or passed the House. In fact, I do not recall any bills that were reached or came up for consideration on the call of the committee that passed the House. Most of the bills that were passed were bills that came over to the House from the Senate and were subsequently incorporated in the sundry civil bill in the Senate by amendment and became a law. For that reason the membership of this House has not received the consideration in the establishment of fish hatcheries and fish-cultural stations in the several States of the Union to which it is entitled. In fact, I doubt if we have passed one bill that originated in the House to establish a fish hatchery or fish-cultural station on an average in each of the four past Congresses.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MOORE of Pennsylvania. This bill provides approximately \$900,000 for the establishment of new fish hatcheries. Will the gentleman explain why there is a difference between the direct appropriation made to the States of \$50,000 in most instances and an appropriation of \$40,000 for Maryland or Virginia for "the special study of fish diseases and problems in the propagation of fish"?

Mr. ALEXANDER. The Commissioner of Fisheries made that recommendation and said that \$40,000 would be sufficient.

Mr. MOORE of Pennsylvania. Would not every one of these stations provided for be for the study of fish diseases and problems in the propagation of fish?

Mr. ALEXANDER. No; they are fish-cultural stations and hatcheries.

Mr. MOORE of Pennsylvania. Then this is for a separate and distinct purpose?

Mr. ALEXANDER. Yes.

Mr. MOORE of Pennsylvania. The gentleman says this has the recommendation of the Department of Commerce?

Mr. ALEXANDER. Yes. They all come from and are recommended by the Bureau of Fisheries. It may be asked why we did not report out the individual bills rather than an omnibus bill. The records of the committee show that 66 bills were introduced asking for the establishment of fish hatcheries or fish-cultural stations in the different States of the Union. It was impossible to report out all of those bills. In some instances

half a dozen or more bills were introduced from one State. The gentleman from Wisconsin [Mr. BURKE] was chairman of the subcommittee on fish hatcheries and had direct control of this legislation. He is not here, and hence the duty devolves upon me of presenting this bill to the House. If we had undertaken to report individual bills it would have been very difficult to make a selection between the different bills introduced from the same State, and many of them called for the location of the hatchery or fish-cultural station in the district represented by the author, and it would have been a very delicate matter to discriminate between the authors of the several bills and more difficult to determine the proper sites for the stations. Then again, it would have been embarrassing for us to discriminate between the different States. Hence our rule has been to refer these bills to the Bureau of Fisheries through the Department of Commerce with a request that no bill should be recommended except in States where there is a present need for the establishment of stations with a view to the propagation of fish for the food supply of the country, having in mind the orderly development of this great industry in the years to come. Hence this bill only embodies the same bills reported to the House by the committee on the omnibus fish-hatchery bill in the last Congress and does not include any new projects, with possibly one or two exceptions, as I now remember.

It may be asked why we have asked for an authorization of expenditure of \$50,000 for each of 17 of these stations and \$40,000 for the other, rather than \$25,000, as has been heretofore asked. Dr. Smith, the Commissioner of Fisheries, informed me that it may not be necessary in every instance to expend that much money, but in many instances it will be necessary. Heretofore the bureau has been compelled to come back to Congress and ask for an increase in the appropriations. For instance, the only fish hatchery or fish-cultural stations provided for in the last few years have been incorporated in the sundry civil appropriation bills, as I say, by amendment in the Senate. One, for instance, for the State of Utah, was established, and the original appropriation for that station was \$25,000. That hatchery was authorized June 23, 1913, in the sundry civil appropriation bill. An additional appropriation for this hatchery was afterwards made of \$25,000 on August 1, 1914, making the total appropriation \$50,000, although the original appropriation was only \$25,000. Again, in the State of Wyoming a fish hatchery was authorized in the sundry civil appropriation bill by amendment in the Senate in the sum of \$25,000 on March 4, 1911. Afterwards an additional appropriation was made of \$18,000 on March 3, 1915, making a total of \$43,000. There is a request now pending in the estimates of the Department of Commerce for an additional appropriation of \$7,000 to complete the hatchery.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield for a question?

Mr. ALEXANDER. In a moment. In South Carolina a fish hatchery was authorized, to cost \$25,000, on March 4, 1914. An additional appropriation was made on March 3, 1915, of \$10,000, making a total of \$35,000, and they are asking for an additional appropriation of \$6,000 to complete that plant.

In the State of Kentucky the establishment of a hatchery was authorized. The original law called for an appropriation of \$25,000. It was passed on March 4, 1911. An additional appropriation of \$20,000 was made March 3, 1915, for this hatchery, making a total of \$45,000. Hence I say the committee thought it wise to ask for \$50,000 for the establishment of these fish hatcheries or fish-cultural stations in the first instance rather than to come back to Congress and ask for additional appropriations. In some instances it will cost this much money and in other instances it may not cost so much, but in every instance the department must go to the Committee on Appropriations and ask for the money necessary for the establishment and equipment of these stations, and the Committee on Appropriations can determine whether or not the expenditure is necessary.

Mr. LANGLEY. Will the gentleman yield to me now?

Mr. ALEXANDER. Yes.

Mr. LANGLEY. I do not happen to be familiar with the location of all of the hatcheries that have heretofore been provided for. I want to ask the gentleman if this bill carries a provision for a hatchery in any State which already has one in it?

Mr. ALEXANDER. I think it does.

Mr. LANGLEY. Why did the gentleman not give us another one in Kentucky?

Mr. ALEXANDER. I am not sure that the gentleman asked for any.

Mr. LANGLEY. I am. The gentleman ought to remember that I introduced a bill for one at Booneville, on the Kentucky River, and talked with him a number of times about it, and

asked him to get a report from the department upon it, which he said he would do.

Mr. ALEXANDER. The gentleman's bill was referred to the department along with the other bills. There are some States where the necessity is greater than in others.

Mr. LANGLEY. We have one in Louisville, but I understand it has not been very much of a success. We want one established in the mountains, where the water is pure, and where it will run into it by the force of gravitation instead of having to pump it in as they do at Louisville.

Mr. ALEXANDER. Mr. Chairman, with reference to the cost of hatcheries, I will state that through Dr. Smith, the Commissioner of Fisheries, I have learned that the State of California is now building a trout fish hatchery at the base of Mount Whitney at a cost of \$170,000, the State of Oregon a salmon hatchery at Bonneville at a cost of \$100,000, and New Jersey a bass and trout hatchery at Hackettstown at a cost of \$120,000, so that the amounts asked for in this bill in authorizations are certainly very reasonable. But, as I stated, in every instance the Committee on Appropriations will have it in its power to determine what sums may be expended for these hatcheries.

Mr. HULL of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. HULL of Tennessee. I am not familiar with the merits of these items, except as shown in the report of the committee. I assume that each item is meritorious, and the question I wish to ask the gentleman is whether, in his judgment, the need of these items is sufficiently urgent to make it necessary for Congress to act upon them at this time, in view of the extraordinary drain that is being made upon the Treasury for the purpose of increasing the Army and the Navy and other extraordinary appropriations that have been made to meet matters of very great urgency.

Mr. ALEXANDER. Well, I may say that the food supply of the country seems to be one of the paramount issues just now, and the establishment of these hatcheries in the several States of the Union is of much profit to the people in the matter of food supply. Very great interest is taken in this subject from time to time by the department which is charged with the duty of conserving the food fishes of the country as well as by Members of Congress. During the years I have been chairman of the committee, as well as during the years preceding when I served on the committee under the distinguished gentleman from Massachusetts [Mr. GREENE], the committee has been very careful to discriminate between those cases that are meritorious or most urgent and those that are not meritorious or are less urgent. I wish to call attention to the fact that there are only 18 projects provided for in this bill, and during the last 10 years I do not believe there has been a fish-hatchery bill reported from the Committee on the Merchant Marine and Fisheries enacted into law except in the manner that I have already indicated. I do not recall any now. The bills that have been enacted into law were bills which were reported to the Senate and passed the Senate, but failed to pass the House, and which were incorporated in the sundry civil bill in the Senate by way of amendment and agreed to in conference. That is the only way we have obtained legislation. I think the membership of the House has some rights; I think they are entitled to consideration in the establishment of these hatcheries. So far as the appropriation of money at this session to meet the requirements of this bill is concerned, I wish to say this: I asked Dr. Smith that question this morning. He said he did not believe the present Congress would be called upon to make an appropriation of more than \$10,000 for the preliminary work; that is to make the selection of sites and make surveys, with a view to the establishment of these hatcheries.

Mr. HULL of Tennessee. Will the gentleman yield further?

Mr. ALEXANDER. So it will not involve a large present expenditure at all. The appropriations made at this session will be for the fiscal year beginning July 1, 1917; and the small sum that will be called for by this bill will not be a serious drain on the Treasury in the next fiscal year. The expenditures authorized by this bill will be extended over several years.

Mr. HULL of Tennessee. Would not this, though, if all the appropriations asked for in the various bills which are pending and which are equally meritorious with this, are granted, probably require the levying of additional taxes in order to take care of the Treasury during the next fiscal year?

Mr. ALEXANDER. This bill calls for, I think, about \$890,000, and if that sum were to be expended in the next fiscal year the gentleman might be right. This is an authorization only, and it will take several years to locate and construct these hatcheries. The personnel must be provided for, and it will not in-

volve a large expenditure in any one year; but I think a start should be made, and I think these several States that are asking for these hatcheries should be recognized, and that during the years to come other hatcheries should be authorized in States not recognized in this bill, where the need is less urgent, but whose claims have great merit.

Mr. HULL of Tennessee. Of course, this bill will grow considerably before it gets to the Senate and becomes a law. I merely wanted to ask the gentleman's opinion as to the wisdom of undertaking to deal with this class of authorizations, meritorious though they be, but which are not sufficiently urgent to hazard the duty of having to levy additional taxes to take care of the Treasury in the future.

Mr. ALEXANDER. It will be the determined purpose of the committee, in which we hope to have the support of the House, to prevent the incorporation of any more projects in the bill by way of amendment. I can not say what will happen in the Senate. I think all the bills which passed the Senate were referred to my committee and were considered by the committee and are incorporated in this bill. If the bill is loaded down, I am frank to say, I will lose interest in it, whether it is loaded down here or in the Senate. If we ever expect to make any progress in this class of legislation, we must be reasonable about it.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I will.

Mr. FESS. What is the policy of the Government? Do you cooperate with the States? Are the States making any appropriations in this matter at all?

Mr. ALEXANDER. Not in cooperation with the Government.

Mr. FESS. It is exclusively a governmental function?

Mr. ALEXANDER. They have independent hatcheries under State supervision and control. This bill provides that these hatcheries shall not be established in the several States unless the States by legislation give to the Government exclusive control and the State laws are in harmony with the Federal laws and regulations.

Mr. FESS. Has there been an instance where the State has turned a hatchery over to the control of the Federal Government?

Mr. ALEXANDER. I have no knowledge of such a case. At the last session we passed a bill authorizing the Government to take over a private hatchery in Massachusetts as a gift to the Government. It is a fine, well-equipped plant.

Mr. FESS. The point I want to get at is this: Is this development, which I believe in—I agree with it now as I have before because I think the finding of new sources of food is important—but the question with me is whether it is altogether the burden of the General Government, or whether the States should be brought into cooperation with the General Government?

Mr. ALEXANDER. Well, the States have hatcheries and the Federal Government has hatcheries, and the General Government has encouraged the States to build State hatcheries and the States have been given every encouragement to cooperate with the Federal Government in the propagation of food fishes.

Mr. TAYLOR of Colorado. If the gentleman will permit, I may say that all of the Western States maintain one, two, a half a dozen, or a dozen State hatcheries, and they spend a large amount of money and stock all the smaller streams, and the whole public is allowed to go there and fish—

Mr. FESS. I was about to say if the Government should cooperate in supporting and aiding the States' work I think it would be a fine thing—

Mr. TAYLOR of Colorado. The State of Colorado spends ten times as much as the Government, and we do not have enough to supply the demand.

Mr. MILLER of Minnesota. May I add a little to that? In Minnesota, for instance, there is one United States fish-cultural station that does nothing but provide a fish supply for Lake Superior—commercial work on the lake. The State of Minnesota, on the other hand, maintains four or five fish-cultural stations, providing the lakes and streams in the interior of the State. So the State of Minnesota, while it is providing generously for its waters, gets no benefit from this fish-cultural station at Duluth. This bill provides for the county of St. Louis, which contains more streams perhaps than any other county in America; and the trouble with that is that as it borders on Canadian waters it can not be stocked by the State.

Mr. FESS. Does the gentleman think this is a legitimate proposition?

Mr. MILLER of Minnesota. I think it is a legitimate one and most commendable. Certainly in my State it is taking care of the Federal features in restocking streams and lakes.

Mr. BENNET rose.

Mr. ALEXANDER. I yield to the gentleman from New York [Mr. BENNET].

Mr. BENNET. I wanted to ask the gentleman if the fish hatchery at Tupelo, Miss., was still being operated?

Mr. ALEXANDER. I do not know.

Mr. BENNET. Is the gentleman acquainted with that particular fish hatchery?

Mr. ALEXANDER. I am not.

Mr. BENNET. Then, I can not very well ask the question I intended to ask.

Mr. MILLER of Minnesota. I notice that by the terms of this bill the location of these respective sites is left to the Department of Commerce.

Mr. ALEXANDER. Yes. Of course, many of the original bills asked for the location in some particular congressional district, but we could not consider that as a wise thing to do.

Mr. MILLER of Minnesota. I will say frankly that the portion of the bill in which I am interested is that in a part of Minnesota. My colleague from Minnesota [Mr. VAN DYKE] introduced a bill establishing a fish-cultural station in St. Louis County, which received my cordial approval and what assistance I could give him. There is a definite Federal reason for the location of that station at that place. I can not conceive of any other place in the State where a Federal station could properly be involved.

Mr. ALEXANDER. That is a matter for the department to consider and ought to consider in establishing a hatchery.

Mr. LANGLEY. Will the gentleman yield to me?

Mr. ALEXANDER. Yes.

Mr. LANGLEY. I understood the gentleman to give as one reason for the urgency of this measure at this time the scarcity of the food supply. In the opinion of the gentleman how long will it require to increase the fish supply through the hatcheries provided for in this bill so as to relieve the food shortage? In other words, how many years will we have to wait until we get relief through the increase of fish through these proposed hatcheries, from the scarcity of food?

Mr. ALEXANDER. I can not tell, but I am sure the longer we put it off the longer it will be before that need is met.

Mr. LANGLEY. Will it not be until after the next presidential election, at least, after which we will not be afflicted with food shortage?

Mr. ALEXANDER. I can not tell what will happen after the next presidential election. I am not given to such speculation.

Mr. DIXON. I would like to ask the gentleman if the commissioner recommended the establishment of other hatcheries than those included in the bill?

Mr. ALEXANDER. He did not.

Mr. DIXON. So this was the extent of the recommendation?

Mr. ALEXANDER. Yes. So far as the committee is concerned we have no knowledge of others.

Mr. DIXON. I simply wanted to know the method of elimination the committee pursued in eliminating those in some States and favoring other States. I want to know the reason why.

Mr. ALEXANDER. The gentleman from Wisconsin [Mr. BURKE] was chairman of the subcommittee, and I was in touch with him all the while. I understand that this bill incorporates the projects that were recommended by the bureau.

Mr. DIXON. And includes all that they did recommend?

Mr. ALEXANDER. Yes; at the time this bill was reported to the House. Now, there is one bill, introduced by the gentleman from California, Judge RAKER, that we have reported out since, but it was not incorporated in the original bill because that bill had already been reported to the House.

Mr. RAKER. Will the gentleman yield right there?

Mr. ALEXANDER. Yes.

Mr. RAKER. In regard to the bill for California, my recollection is that, in speaking to the chairman of the committee, I found that the bill had been filed and the report presented and that it was simply overlooked. When it was considered by the full committee, they reported out the bill for California, carrying only \$16,000, with the understanding that when the bill came up, having been reported by the subcommittee to the full committee, it would go on the general bill.

Mr. ALEXANDER. Mr. Chairman, I wish to reserve the balance of my time.

Mr. OGLESBY. Will the gentleman allow me to ask him a question?

Mr. ALEXANDER. Yes.

Mr. OGLESBY. I think on the answer to this question will depend my action on this bill. I would like to know what there is in this proposition that takes it out of the class of appropriations that should be made by the States themselves and makes it the duty of the Federal Government. It may be in some

instances, as was indicated by the gentleman from Minnesota [Mr. MILLER], that there is some reason for it, but I would like to know whether the matter has been considered by the committee from that standpoint and if these appropriations have been made because it was in the opinion of the committee a matter that should be appropriated for by the Federal Government?

Mr. ALEXANDER. The committee has followed a policy that has been followed by the Congress from time immemorial, and I do not know that the committee considered that question. The committee followed a long line of precedents.

Mr. Chairman, I reserve the balance of my time.

Mr. HULBERT. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I regret I can not at this time. I should yield to my colleague from Massachusetts [Mr. GREENE] one-half of the time allotted to me.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I will yield for a question, if agreeable to the gentleman from Massachusetts [Mr. GREENE].

Mr. DIXON. Were the recommendations of the commissioner made in response to requests from the committee, or were they made voluntarily?

Mr. ALEXANDER. The bills were referred to the department for a report, with the request that the department consider the bills and recommend no bills except those having merit and in States where the hatcheries would be of benefit and are needed. I will say that every one of the bills was incorporated in the omnibus bill reported by the committee in the last Congress, with possibly one or two exceptions, which I do not now recall.

Mr. HULBERT. Mr. Chairman, will the gentleman accord me the same privilege that he accorded to the gentleman from Indiana?

Mr. ALEXANDER. I do not want longer to trespass upon the time that should be accorded to my colleague, Mr. GREENE of Massachusetts, or it would give me pleasure to do so. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GREENE] the balance of my time.

Mr. GREENE of Massachusetts. Mr. Chairman, I would not have it understood that I represent the opposition to this bill. I do not know that there was any opposition to the bill in the committee when the bill was considered. These propositions that are included in the bill are made according to the usual custom, leaving the question of the selection of locations to the Department of Commerce, to the Bureau of Fisheries; and no attempt has been made, and there never has been, certainly in the last 10 years, an attempt to locate any fish hatcheries in a bill as presented to the House, although we have bills presented before the committee that do make the locations.

Mr. ALEXANDER. Mr. Chairman, does the gentleman say he is opposed to the bill?

Mr. GREENE of Massachusetts. No.

Mr. ALEXANDER. I understood the gentleman to say he was for it, and that is the reason why I offered the gentleman half of my time. The opposition will have their time later.

Mr. GREENE of Massachusetts. I have no desire myself to occupy any time in the debate. If anybody on this side of the House would like to speak in favor of the bill I will yield him time now.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Massachusetts yield?

Mr. GREENE of Massachusetts. Yes.

Mr. STEPHENS of Texas. I desire to ask if it is not a fact that all the different bills reported favorably here in behalf of different States have been first passed upon by the department and favorably recommended?

Mr. GREENE of Massachusetts. They have been.

Mr. STEPHENS of Texas. Is it not a further fact that all the bills have been referred from the committee to which they were referred to the Secretary of Commerce for the purpose of reporting upon the bills, and they have all been favorably reported?

Mr. GREENE of Massachusetts. Yes; by the Secretary of Commerce. They have all been favorably reported.

Mr. STEPHENS of Texas. And no bills outside of those have been reported?

Mr. GREENE of Massachusetts. All the pending bills have been recommended by the department.

Mr. STEPHENS of Texas. I desire to state that there is a bill pending for northwestern Texas, and there is no place named in the bill for the location of this hatchery, but it is left to the department, at the request of the department; and for that reason I desire to know whether any places are found in

this bill where the locations were not favorably acted upon by the department.

Mr. GREENE of Massachusetts. Every one of them was favorably acted upon by the department, they to make the selection of the location.

The CHAIRMAN. In order to set the Chair right, is the gentleman speaking for the bill or opposing the bill?

Mr. GREENE of Massachusetts. I am not opposing the bill, but I hold the time in opposition. If anyone wants to speak in opposition, he can come to me for time.

Mr. MANN. I understood the gentleman from Missouri to yield to the gentleman time.

The CHAIRMAN. The Chair will not recognize the gentleman from Massachusetts unless he is opposed to the bill.

Mr. GREENE of Massachusetts. I am not opposed to the bill.

The CHAIRMAN. The gentleman from Massachusetts is not opposed to the bill.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman from Missouri yielded time, as the Chair understands it, to the opposition to the bill. Is the Chair right?

Mr. ALEXANDER. No. My colleague, the gentleman from Massachusetts [Mr. GREENE]—

The CHAIRMAN. Does the gentleman from Missouri wish to proceed with his hour now?

Mr. ALEXANDER. I wanted to reserve the balance of my time.

The CHAIRMAN. Then the gentleman from Massachusetts, the gentleman's colleague, can not reyield that time to some one else.

Mr. ALEXANDER. Then I will yield to him such time as he desires.

Mr. MILLER of Minnesota. Mr. Chairman, the gentleman from Massachusetts [Mr. GREENE] is the ranking Member on the Republican side, is he not? It is proper that he should have time yielded to him.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman from Missouri yield to another inquiry?

The CHAIRMAN. The gentleman from Missouri has control of only one hour.

Mr. ALEXANDER. I yield to the gentleman from Massachusetts one-half of that hour.

The CHAIRMAN. Just how the gentleman from Missouri can reserve the balance of his time and then yield half of it to the gentleman from Massachusetts is what the Chair has not been able to understand. What the Chair has been trying to get at is to divide this time so as to properly distribute it.

Mr. MOORE of Pennsylvania. Mr. Chairman, before that question is determined, will the gentleman from Missouri yield for a question?

Mr. ALEXANDER. No; I can not yield at this time. I do not want to do my colleague from Massachusetts an injustice. I have yielded my time to the gentleman from Massachusetts, the ranking minority member of the committee. He is in favor of the bill. I understand those in favor of the bill have time coming to them, and those opposed have time. He can use it now or later.

The CHAIRMAN. That is what the Chair was trying to get at. But if the gentleman from Missouri yields some of his time to the gentleman from Massachusetts, the Chair doubts the propriety of the gentleman from Massachusetts yielding some of that time to some other gentleman.

Mr. GREENE of Massachusetts. I will yield to those in favor of the bill.

Mr. ALEXANDER. I was not proceeding under the general rules of the House where, having control of the floor, I occupied half of that hour. I am proceeding under this special rule, as I understand it.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GREENE] is recognized.

Mr. MOORE of Pennsylvania. Will the gentleman from Massachusetts yield to me now?

Mr. GREENE of Massachusetts. I will.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. I want to interrogate the gentleman from Massachusetts, and through him, if the gentleman cares to answer, the gentleman from Missouri. When I inquired about this bill a few moments ago I had not carefully read the report. I observe in the bill that provision was made for a hatchery for the State of Pennsylvania, Delaware, or New Jersey on the lower Delaware River. Now, the shad-fishing industry has been a very important one on the Delaware River. Owing to the increase of industrial establishments there has been a gradual decadence of the shad industry. The shad have

been going away, but there is a very earnest movement in progress to reestablish the sturgeon industry on the Delaware River. From reading this bill I find that there is to be some discretion as to the location of a hatchery, whether for shad or for sturgeon I do not know; but in reading the report it appears that this hatchery is to be located in the State of Pennsylvania. The bill indicates that there is to be a choice as between three States. What we want is that there shall be a hatchery on the Delaware River, as there is none there now conducted by the Government. I would like to know who is to make the selection of the site of the hatchery if the bill passes?

Mr. GREENE of Massachusetts. I will answer the gentleman. The Bureau of Fisheries of the Department of Commerce will select the location.

Mr. MOORE of Pennsylvania. The impression is given here in the letter of the Secretary of Commerce that the hatchery is to be assigned to the State of Pennsylvania.

Mr. GREENE of Massachusetts. If the State of Pennsylvania has a suitable location, I presume it probably will get it. If it has not, it is limited to the Delaware River, and the bill would cover any one of these three States.

Mr. MOORE of Pennsylvania. Then the introduction of the States of New Jersey and Delaware was an afterthought of the committee?

Mr. GREENE of Massachusetts. I can not say as to that.

Mr. HARDY. My recollection is that the whole matter was discussed by the representatives of the Bureau of Fisheries, who said they thought it desirable that there should be a hatchery somewhere in one of these three States, without designing to designate definitely which one.

Mr. MOORE of Pennsylvania. Then the idea of the committee is that the hatchery will be located in one of the three States on the Delaware River?

Mr. HARDY. If it says on the Delaware River, then that is my understanding of it; but it is the wording desired by the Bureau of Fisheries. They wanted it that way so as to give them that discretion.

Mr. MOORE of Pennsylvania. In the report it is stated:

Under date of February 29, 1916, in a letter addressed to Hon. M. E. Burke, chairman Subcommittee on Fish and Fish Hatcheries, Hon. William C. Redfield, Secretary of Commerce, recommends a fish hatchery for the State of Pennsylvania.

Mr. HARDY. I suppose that was a slip of the pen on the part of the Secretary of Commerce. I suppose he was not as familiar with the details of the matter as are the Bureau of Fisheries and the committee.

Mr. MOORE of Pennsylvania. I wish to say to the committee that there is need for a fish hatchery of some kind or other on the Delaware River. We have been under the impression that we were to get one in Pennsylvania. The bill evidently allows discretion to the Secretary of Commerce to locate the hatchery in either one of the States mentioned.

Mr. HARDY. That is my understanding.

Mr. MOORE of Pennsylvania. What we want is to have an impetus given to shad fishing, which is a very important industry, and to the sturgeon industry, which at this particular time, in view of the increased cost of living in the United States, would be mighty important to the people at large.

Mr. GREENE of Massachusetts. I want to reply to the gentleman from Pennsylvania and to say that I have no doubt Pennsylvania will hold up her end of the line when it comes to locating this fish hatchery by the Bureau of Fisheries.

Mr. MOORE of Pennsylvania. The gentleman may be assured of that.

Mr. GREENE of Massachusetts. I have no fear on that score at all.

Mr. RAKER. Will the gentleman yield to me?

Mr. GREENE of Massachusetts. I yield to the gentleman from California.

Mr. RAKER. The gentleman from Wisconsin [Mr. BURKE] was chairman of the subcommittee. Who was the ranking member of the subcommittee on the minority side?

Mr. GREENE of Massachusetts. The gentleman from Washington [Mr. HADLEY].

Mr. RAKER. The purpose of the committee was to take up all these bills that have been favorably recommended. I find that a bill introduced by myself—H. R. 11245—for a station in northern California was overlooked by the subcommittee; but afterwards the committee reported it favorably, and I understand that the intention is, in considering the omnibus bill, to include that bill with it, so as to save the consideration of a separate bill.

Mr. GREENE of Massachusetts. The gentleman will have to consult the chairman of the committee about that. I do not undertake to make any statement about that part of it.

Mr. RAKER. One further question. As I understand it, the purpose of the subcommittee and the full committee, who have gone over it very carefully, is not to require the consideration of my bill as a separate bill, but to include it in the omnibus bill.

Mr. GREENE of Massachusetts. I would not like to make any statement about that which would seem to commit the committee. We will try to consider that when the time comes. This bill is the one now under consideration. Any amendments to it will have to be considered on their own merits when the time comes.

Mr. LANGLEY. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Yes.

Mr. LANGLEY. I notice that this bill provides that there shall be a station in Oregon or Washington, South Carolina or North Carolina, Delaware or New Jersey. Now, why did the committee cover so much territory in that provision?

Mr. GREENE of Massachusetts. We acted very largely on the advice of the Bureau of Fisheries, so as to allow them to locate in one of the three places.

Mr. LANGLEY. Of course the committee did not have any idea of getting more votes for the bill by including all those States?

Mr. GREENE of Massachusetts. I will state for the information of the gentleman that for more than 10 years there has been no omnibus bill. This is an attempt to increase the food supply of fishes, and we have tried to cover as much ground as possible.

Mr. LANGLEY. I have no copy of the report before me. Was this report made before the election or after?

Mr. GREENE of Massachusetts. It was made before the election.

Mr. LANGLEY. Is the gentleman familiar with the different hatcheries now in operation, for instance at Louisville, Ky.?

Mr. GREENE of Massachusetts. No; I am not.

Mr. LANGLEY. The gentleman does not know then that that hatchery has not been a success?

Mr. GREENE of Massachusetts. No; I do not know anything about it.

Mr. LANGLEY. Well, I do.

Mr. FESS. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Yes.

Mr. FESS. How much weight is given to the recommendation of the Bureau of Fisheries in the location of these various hatcheries?

Mr. GREENE of Massachusetts. It was determined more than 10 years ago to leave to the Bureau of Fisheries the location of the hatcheries in the various States, because if a bill fixed the location definitely it might be in a place entirely unsuitable for a fish hatchery, although the Member introducing the bill might get it through both Houses. So it was left to the discretion of the Bureau of Fisheries, and we have always prepared our bills in that way, both when I was chairman and since the gentleman from Missouri [Mr. ALEXANDER] has become chairman of the committee. We have pursued the same course.

Mr. FESS. In other words, the recommendation of the Bureau of Fisheries, while it is not in the letter of the law as final, is actually the final decision and not the decision of the House.

Mr. GREENE of Massachusetts. It is not the decision of the House; it is more the decision of the Bureau of Fisheries. They decide on the location and ask for an examination of all the circumstances surrounding the case. Instead of putting it into some city in Ohio, for instance, on a stream entirely unfit for a fish hatchery or for fish culture, it would be left to the department, after careful investigation, to locate it.

Mr. FESS. I think that is wisdom, because there will be the opposition cry that it is a pork-barrel measure and that particular locations are getting it, while if it is done by the Bureau of Fisheries it would seem to me to be an answer to that claim.

Mr. GREENE of Massachusetts. I am not afraid of the pork-barrel talk.

Mr. SLOAN. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. SLOAN. I would like to ask the gentleman in how many States there are now fish hatcheries already established?

Mr. GREENE of Massachusetts. I do not know that I can give the gentleman the information, but there are quite a number.

Mr. SLOAN. I notice that in this bill States are favored where 13 members out of the 21 members of the committee reside. I was wondering how many States outside have been heretofore favored in this manner and what chance the other 420

Members have to have their States favored by the location of fish hatcheries.

Mr. GREENE of Massachusetts. I can not tell the gentleman.

Mr. FOSS. Will the gentleman from Massachusetts yield?

Mr. GREENE of Massachusetts. Yes.

Mr. FOSS. I want to ask whether it would not be wiser to strike out all of these States, inasmuch as it is a matter left entirely in the discretion of the Bureau of Fisheries to locate the hatcheries, and give them the whole United States. Would it not be better to provide a lump sum and give them the whole United States in which to select the location of these fish hatcheries?

Mr. LANGLEY. Yes; and not limit the department.

Mr. GREENE of Massachusetts. We tried to locate what we thought, and the Bureau of Fisheries thought, the best location for fish hatcheries, considering the large number of bills.

Mr. FOSS. It seems to me that that is giving preference to these Members who have introduced bills upon which favorable reports have been made by the Fish Commissioner. Having made a favorable recommendation, which has been incorporated in the report to the House, that would necessarily bind him to that action.

Mr. LANGLEY. He would feel that he was bound in that way.

Mr. FOSS. I think the wisest thing to do is to throw it open to the whole United States and provide a lump-sum appropriation, with the further provision that no hatchery should exceed a cost of over \$50,000.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. TAYLOR of Colorado. Let me supplement the remarks of the gentleman from Illinois. We had the same thing up in the Committee on Mines and Mining, of which the gentleman from Massachusetts was a member, trying to establish mine experiment stations, and we several times had it loaded down so that we got none. Why should not we provide in this bill for the establishment of 5 or 10 fish hatcheries in the whole United States, in the places most needed, to be determined at the discretion of the Department of Commerce? In that way we will get somewhere, but if we load the bill down with many more hatcheries, as it undoubtedly will be when it comes from the Senate, we will never pass it at all. It is a splendid measure and we ought not to overdo it. I think the suggestion of the gentleman from Illinois [Mr. Foss] is eminently fit, and if we could limit it to 5 or 10 a year, or start with that number, and then let subsequent ones be provided for by subsequent Congresses and allow the Bureau of Fisheries to select them, it would be the wisest thing to do, and we might be able to pass that kind of a bill.

Mr. GREENE of Massachusetts. The gentleman is aware that there are two bodies, one at this end of the Capitol and one at the other end of the Capitol, and there may be a wide difference of opinion between the two.

Mr. TAYLOR of Colorado. That is what I want, to do something practical and not attempt something that can not be accomplished.

Mr. ALEXANDER. The fish hatcheries we have already got have been provided for on the sundry civil appropriation bill.

Mr. TAYLOR of Colorado. Yes; and they have been put on there by ways that we do not approve of when there were more deserving places which were left out. We ought to adopt some rational system and economy in this matter and not an indiscriminate location of them. I am very much in favor of fish hatcheries, but they ought to be intelligently located.

Mr. GREENE of Massachusetts. I will yield five minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman, I would like the attention of the membership in the five minutes that I am going to talk. This is a matter of great importance. We are confronted in this country by the colossal high cost of living. It is not a matter of how it came about, it is here. Fish is one item in the great food supply of this Nation. If we had half as much sense as we think we have, we would have increased the food supply instead of decreased it. This bill provides for a fish-cultural station in the State of Minnesota. There is one now in the city of Duluth. I want to give you its condition. It supplies the whole of Lake Superior, which has been the fishing grounds for the Booth Packing Co., of Baltimore, Md., which company has sent its supplies throughout the United States for the past 20 years. They have actually exhausted all of the whitefish from Lake Superior, notwithstanding the fact that this one cultural station has been doing its best to keep a supply; and to-day, in restaurants, cafés, and on trains, when you are served with Lake Superior whitefish you are not getting

It at all, you are simply getting lake trout. On the other hand, the lake-trout supply in Lake Superior has been rapidly declining in recent years, and why? Because fishing has been increasing both in Canada and in this country all along the shores of Lake Superior, because of the great demand for a cheaper food supply. But, Mr. Chairman, there has not been a corresponding increase in fish fry. That one station is obliged to fill the needs of a large area, and it is inadequate. It has not been able to take care of Lake Superior alone, and it needs assistance.

It is proposed by this bill to establish another cultural station, not exactly at that point but in the interior, and why? Along the northern boundary line of Minnesota are lakes that lie between Canada and the United States, and that form the boundary line outside of the Great Lakes. An important fishing industry has always existed there, and now it is more important than ever before. When you are served with caviar, which you are assured is Russian caviar in the restaurants of New York and Philadelphia, you may put it down that it is not Russian caviar, but that it comes from the sturgeon fished out of the Lake of the Woods in northern Minnesota. That has been a great and important industry, but has been rapidly declining, because the sturgeon is disappearing for the one reason that there exists no fish-cultural station whose duty it is to keep that lake supplied with sturgeon fry. Rainy Lake, along the northern shore, a very large body of water, has enjoyed a large fishing industry for three years. Prior to that there was none. The catch this last year amounted to about a million and a half. The industry there is capable of vast development. They are up against the fact that they can not get fish fry. The fishing industry of the United States is peculiar. It lives if you supply it with new, fresh fry; it dies if you do not. The one instrumentality which can supply fish fry is governmental. The State of Minnesota is taking care of its part on all of the waters within the boundaries of the State. It is the duty, certainly, of the Federal Government to furnish fish fry for the Great Lakes and for these boundary waters already described. In addition, there are thousands of streams and lakes whose waters flow into the boundary waters, offering unparalleled opportunity for extending the fishing industry. From these come an important element of food supply, and one which should be developed rather than permitted to decline. It is not the interest of my district, it is not the interest of my county, but it is the interest of the people of the United States, because they are the ones who are purchasing and receiving these fish in the nature of a food supply. So, Mr. Chairman, if I might be able to speak further, and I presume I have occupied already five minutes, I would say that I think the plan in this bill is eminently correct. There have been a few fish-cultural stations established during recent years, but how have they been selected and where have they been placed?

The committee which presents this bill to the House has been considering this subject for years. Are they not possessed of some skill, some knowledge of the subject about which they propose to legislate? They have sifted the merits of the various bills that have been presented to their committee during the past 10 years. They have conferred with the various Commissioners of Fisheries that we have had and as a result of their investigations, as a result of all of the proposals, as a result of these discussions with the scientific men in the Bureau of Fisheries they present this bill as the best solution of the problem. They have left great latitude to the scientific executive officers of the Government.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield the gentleman one minute more.

Mr. MILLER of Minnesota. Mr. Chairman, they have left great latitude by simply designating the States, the general area, where the stations should be located. I think we should go that far and no further. Let them place these stations where the region is best adapted for them, where they will serve the greatest good. If we pass this bill, we will do more, a thousand-fold more, to solve the high cost of living than we will ever do by introducing resolutions calling for an embargo, calling for an investigation of warehouses, calling for investigations of this, that, and the other. This is practical and to the point. Let us act. [Applause.]

Mr. GREENE of Massachusetts. Mr. Chairman, in a conversation with the gentleman from West Virginia, Mr. BOWERS, who for a number of years was the Fish Commissioner, he tells me that he believes this bill is correct and properly drawn and well guarded, and that it provides just exactly what we ought to have. Still, I do not object to the House doing whatever it pleases—it can do whatever it pleases, whatever it sees fit to do, and it may amend the bill and provide for a general lump sum,

as it is in the power of the House to do; yet, as has been stated, the committee itself, all of the time that I have been a member of it, has tried to take care of these propositions, not for the purpose of providing fish hatcheries in the interest of members of the committee especially, but to provide some means of increasing the food supply through these fisheries; but we have had very little to do with it, because all that have been established in the last few years have been established by amendments made in the Senate and put on the sundry civil appropriation bill.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. HARDY. Has not the committee been investigating this matter for at least four or five sessions, at each session, with a great deal of pains?

Mr. GREENE of Massachusetts. Yes; with a great deal of care, both under the present control of the committee and when I was chairman of the committee, and even earlier than that. The committee has tried faithfully to get some kind of proposition that will provide us a better supply of fish for the use of the people of the United States; and we have not tried to locate, and in fact the Bureau of Fisheries has said that it could not indorse a proposition to have fish hatcheries located on certain rivers or in a certain place in a certain State, because it might be found that all of the legislation thus produced would be entirely lost because the location would be entirely unfit. The committee, while I was chairman of it and also while Judge ALEXANDER has been chairman of it, has tried to have the matter left to the bureau to settle the location.

Mr. LANGLEY. Will the gentleman yield?

Mr. GREENE of Massachusetts. Certainly.

Mr. LANGLEY. If the committee has followed largely the advice of the experts of the Bureau of Fisheries and if their judgment and advice have largely controlled, what is the reason for placing any limitation upon that discretionary power by confining these stations to certain States? How does it happen that most of them will fall in the States some of which already have hatcheries, and again in the States where the members of the committee live? I think we are entitled to that information.

Mr. GREENE of Massachusetts. It has been very kindly suggested by Mr. BOWERS here that the cost of transportation is very important, and it is. The cost of transportation is very important in the location of these stations.

Mr. LANGLEY. The gentleman means, then, that the members of the committee are so located that there will be a great saving in the cost of transportation, if this bill becomes a law.

Mr. ALEXANDER. I was going to suggest to my friend that we ought to reserve some time on our side.

Mr. TILSON. Will my friend permit one question?

Mr. GREENE of Massachusetts. Certainly.

Mr. TILSON. I know of no fish-culture station provided for in any of the States east of the Delaware River. Is it a fact that all the country east of the Delaware River is so well taken care of by these stations that the waters are all stocked with fish?

Mr. GREENE of Massachusetts. Massachusetts has two United States hatcheries and one hatchery that was given by a wealthy woman to the United States, so there are three in Massachusetts. There is one in Rhode Island, I do not know about Connecticut, and I am not sure whether it is supplied or not.

Mr. TILSON. How about the State of New York?

Mr. GREENE of Massachusetts. I will yield to the gentleman from West Virginia, who will make a statement in regard to the matter.

Mr. BOWERS. Mr. Chairman, this is a step in the right direction. For 10 years past there has been an effort on the part of the Bureau of Fisheries to have Congress pass an omnibus bill providing for proper locations for fish hatcheries in this country. Heretofore in the introduction of a bill the Member of Congress has endeavored to select the site. In the recommendation of this committee the selection of these sites is given to the Bureau of Fisheries, where each appropriation should be. There is not to my mind a single State—and I have gone over this measure carefully—that should not have a fish hatchery. The question was asked a few minutes ago as to the number of hatcheries east of the Delaware River. Maine has two hatcheries under governmental supervision. New Hampshire has a hatchery under governmental supervision. Vermont has a hatchery under governmental supervision. Massachusetts has two hatcheries where the marine species are propagated. New York has a hatchery under governmental supervision. The great State of Pennsylvania, I regret to say, has no hatchery under governmental supervision. The question of transportation is a very important item. There was a sugges-

tion a few moments ago as to why there should be a hatchery in Oklahoma. There is not a State in the Southwest which makes greater demands upon the Bureau of Fisheries, with possibly the exception of Texas, than Oklahoma. In New Mexico and Arizona the water of those hatcheries can be supplied from artesian wells; in fact, some of the best and largest I have ever seen I saw in the vicinity of Roswell, N. Mex.—artesian wells, with a flow of 2,500 gallons a minute, sufficient to supply the wants of the best hatchery in America. There is no appropriation that can be made by this Government that will inure more greatly to the people than this. There is no appropriation that can be made in competition with the high cost of living whereby the people of this country can be more greatly benefited than by this small sum asked for by the Bureau of Fisheries. In going over this very carefully I find \$890,000 is the total amount asked for. The distribution is properly made. In conjunction with the hatcheries this country now has, I believe for a period of years there will be no necessity for further appropriations for this bureau. I indorse and I want to cooperate with the men who are endeavoring to have this measure passed, and I ask the support of this body irrespective of party. [Applause.]

Mr. SLOAN. Will the gentleman yield for a question?

Mr. BOWERS. Yes.

Mr. SLOAN. The gentleman has stated some of the States in which hatcheries already exist. What, if any, hatcheries are in the interior of the continent—say, in the States of Iowa, South Dakota, Wyoming, Nebraska, Kansas?

Mr. BOWERS. Iowa has two hatcheries.

Mr. SLOAN. Governmental hatcheries?

Mr. BOWERS. Governmental hatcheries, near the Mississippi River—one at Manchester, Iowa, I think, and the other at Fairport.

Mr. LENROOT. How about Wisconsin?

Mr. BOWERS. Under governmental supervision, I regret to say, it has no hatchery. We have collection stations where the fish of the Mississippi River are collected. Whenever there is an overflow of this great stream we collect the fish from these bayous, and they are distributed throughout the United States, and there is no better work and no better service done by the Bureau of Fisheries than this collection from these bayous. We get the adults, we get the larger fish instead of the smaller fish, which would otherwise be distributed from other points.

Mr. SLOAN. I was endeavoring to ascertain, especially with reference to the States of Nebraska, the Dakotas, Kansas, Wyoming—

Mr. BOWERS. Wyoming has a hatchery.

Mr. SLOAN. Wyoming has one?

Mr. BOWERS. Yes. Iowa has two.

Mr. SLOAN. Has Kansas any?

Mr. BOWERS. No; neither Kansas nor Nebraska has a hatchery. We have one on the Great Lakes, but no inland hatchery.

Mr. CANNON. Will the gentleman allow me?

Mr. BOWERS. Certainly.

Mr. CANNON. The gentleman says that from the overflow of the Mississippi River to the bayous fish are captured of a little larger size and shipped all over—

Mr. BOWERS. All over the country.

Mr. CANNON. All over the country?

Mr. BOWERS. Yes, sir.

Mr. CANNON. Why not spend this money on the plants, make the fish hatcheries that we have better and larger, instead of blowing in money on plants, with employees duplicated here, there, and yonder, and distribute the fish as they are now distributed, all over the country, from the bayous?

Mr. BOWERS. Yes; but on the other hand you have but two or three specimens that are collected from those bayous. You have the basses, the bream, and the crappie, and occasionally some carp. The Mississippi River does not furnish salmon; it does not furnish trout. It furnishes three species.

Mr. CANNON. If you had one fish hatchery on the Lakes—

Mr. BOWERS. For the Great Lakes there should be—

Mr. CANNON. For the Great Lakes one of sufficient size to cut out the multitude of hatcheries, and one sufficient hatchery on the north Atlantic and one on the south Atlantic and one on the Gulf. Is not that all we have, and could not we save hundreds of thousands of dollars in that way?

Mr. BRUMBAUGH. I would like to ask the gentleman if there is a hatchery at Put in Bay, and is it a Government plant or a State plant?

Mr. BOWERS. It is under governmental supervision and a good plant.

Mr. BENNET. Ought there not to be a fish hatchery on Long Island to take care of the migratory cod?

Mr. BOWERS. There are a couple there under Government supervision, but—

Mr. BENNET. No national fishery?

Mr. BOWERS. No, sir.

Mr. BENNET. Where is the national hatchery located in New York State?

Mr. BOWERS. At Cape Vincent. Others are State hatcheries. The largest State hatchery is at Cold Spring Harbor.

Mr. BENNET. Is that a national hatchery?

Mr. BOWERS. It is a State hatchery.

Mr. BENNET. Is there any in the State of New York that is under national supervision?

Mr. BOWERS. Yes; at Cape Vincent, on Lake Ontario.

Mr. BENNET. In New York State?

Mr. BOWERS. In New York State.

Mr. DOWELL. As I understand the gentleman, two or three of these hatcheries provided for in the bill must be supplied by water from artesian wells?

Mr. BOWERS. It might suffice in several cases; yes.

Mr. DOWELL. Is it not preferable to put these hatcheries where there is plenty of water than to provide for furnishing water from artesian wells?

Mr. BOWERS. It might be, but the expense of transportation is simply enormous. For instance, Texas has one hatchery—

Mr. DOWELL. Will not the additional expense for furnishing the water—

Mr. BOWERS. I say that an inland hatchery, such a one as you have in contemplation in Arizona and New Mexico, could be operated at an expense that would not exceed \$6,000 a year; that is, over and above the regular personnel appropriated for by Congress.

Mr. LANGLEY. The gentleman, I believe, is an expert on this question?

Mr. BOWERS. I would not say that.

Mr. LANGLEY. Well, the gentleman was Commissioner of Fisheries for many years, and I think he is an expert. I want to ask him a question. We have a fish hatchery located in Louisville, Ky. They have to pump water into it from the Ohio River. I am told—and I do not know whether it is true or not—that the land crabs bored holes into it so that the water ran out about as fast as they could pump it in. That was a good while ago. If it was true, it may have been remedied. I do not know. Does not the gentleman think that a fish hatchery located up in the Kentucky mountains, where the pure water gushes out of the sides of the hills and gets purer, if possible, as it ripples over the rocks and flows onward toward the sea, and where the force of gravitation would run the water right into the fish hatchery instead of having to pump it in, where it is necessarily more or less polluted, would be a good deal better for the propagation of fish?

Mr. BOWERS. In case of the location of the hatchery in Jefferson County, Ky., it is possible that the Congressman from that district looked better after its necessities than you did when the hatchery was located there.

Mr. LANGLEY. Will the gentleman permit me to say that the gentleman from Louisville [Mr. SHERLEY] was on the Committee on Appropriations, and he put in as a committee amendment a provision that the Kentucky hatchery must be located at Louisville, and I had no chance to change that. The gentleman from West Virginia, then Commissioner of Fisheries, first acquainted me with the fact that this had been done. I have done my best to get a hatchery located in the Kentucky mountains and have thus far failed, but I will get it yet. I am not going to offer an amendment now, because I know it would be a waste of time.

Mr. BOWERS. The site was stipulated by the bill. The bureau had nothing to do with it. I did not mean that my friend from Kentucky had neglected the matter in the slightest, because he never does that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANGLEY. Mr. Chairman, I ask that the gentleman have five minutes more.

Mr. MANN rose.

The CHAIRMAN. Does the gentleman from Illinois desire to speak in opposition to the bill? However, before the gentleman proceeds, will some one in opposition to the bill take charge of the time?

Mr. MANN. Mr. Chairman, I ask to be recognized in opposition to the bill.

This is an omnibus fish-hatchery bill providing for some 18 new fish hatcheries. There are now 41 or 42 fish hatcheries owned by the United States in the various States. This bill proposes an addition of nearly 50 per cent in the number of such hatcheries. It is what is ordinarily called a "pork-barrel" bill.

It is true, as gentlemen who are in favor of the bill have stated, that there have been but few fish hatcheries created or

provided by the United States during the last 5 years, or the last 10 years, or, I may add, during the last 20 years—during my entire service in the House. Very few additional new fish hatcheries have been provided. At various times new bills have been reported to the House. I think at one session the Committee on the Merchant Marine and Fisheries reported favorably to the House about 50 bills providing for different fish hatcheries where any old man asked for it. The Commissioner of Fisheries in each case recommended the bill.

The committee has possibly wisely adopted a method which the committee thinks is more apt to pass the bills, by combining a large number of States in one bill than by depending upon the merits of the propositions; and without in any way whatever intending to reflect upon the committee, for which I have the highest respect, I do not think the report of the committee shows any great study by the committee of the subject. Doubtless they have given consideration to these fish-hatchery questions for a number of years, but all the items in this bill are recommended solely because the Commissioner of Fisheries recommended them, and because they belonged to certain States, most of which were represented on the committee. Now, I desire to say—

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. MANN. Not right now; in a moment. It is easy to say we ought to increase the supply of fish, but after all, that has very little to do with the question of the establishment of a new fish hatchery. We now appropriate, or did year before last—I have not the figures for last year, but they are not very far away; yes, I have the figures for this fiscal year—we now appropriate for salaries in the Bureau of Fisheries \$400,840. We appropriate under the item of propagation of food fishes, which is the main item connected with the fish hatcheries, \$350,000. The main expense of a fish hatchery is the service, and the largest item at each fish hatchery is the superintendent. In most of the fish hatcheries the salary of the superintendent alone, which is not high, is at least one-third, or nearly one-third, the entire expense of service at the station; so that every time we create a new fish hatchery we are spending money at the top, where it is not needed, instead of spending money where it is needed, perhaps, in the propagation of fishes.

I do not wish to be exceptional; I simply have the appropriation bill before me. I read:

Baker Lake (Wash.) station: Superintendent, \$1,500; fish culturist, \$900; two laborers, at \$600 each; in all, \$3,600.
Bozeman (Mont.) station: Superintendent, \$1,500; fish culturist, \$900; two laborers, at \$600 each; in all, \$3,600.
Cold Springs (Ga.) station: Superintendent, \$1,500; fish culturist, \$900; two laborers, at \$600 each; in all, \$3,600.
Craig Brook, Me., Station: Superintendent, \$1,500; foreman, \$900; three laborers, at \$600 each; in all, \$4,200.

Whenever you establish a new fish hatchery you have to provide a new superintendent. He is not the one who actually does the work. He is not the one who really propagates the fish. He does his share of the work probably. We provide in addition a fish culturist and the laborers. They do the work. But the great increase in the expense comes through the additional superintendents.

Now, the original expense of a proposition is never the test by which you determine whether or not it is a good proposition. What is the after result? What is to be the expense of maintenance? These fish hatcheries will cost \$10,000 less than \$900,000, but the expense of maintenance each year when they are established continues indefinitely, and we ought to figure so that we can reduce as far as possible the maintenance expense from year to year. A fish hatchery when established is only the beginning. It does nothing except as it labors from year to year. It has the expense of maintenance. It has the expense of the propagation of the fish, and some expense of transportation, which, by the way, is not the main expense. Of course, the cost of transportation is considerable. It does not vary so very much, whether the shipment is for 50 miles or 150 miles. But the great cost of maintenance is the cost that bears down on the Government Treasury. With 41 or 42 fish hatcheries now in the United States, what is the need of creating new fish hatcheries almost side by side with those which now exist?

It is not a matter of transportation. That is not the reason. There might be a reason for creating new fish hatcheries in some of the new or Western States where there is no fish hatchery within a long distance. We recently provided one in Wyoming. We also provided one recently in South Carolina. We provided one recently in Louisville, on the Ohio River. It may be that there ought to be more. In some of the States they have their own fish hatcheries. Some of the States are more apt to beg of Congress than others. Possibly it is because they have Repre-

sentatives on the committee to whose attention the matter is drawn. Some of the States provide their own fish hatcheries.

There may be a good reason for the National Government providing a fish hatchery on the sea, where the State may perhaps have no control of the fish in the water. But where streams are confined practically or wholly within the limits of a State, why should the National Government provide a fish hatchery? Why should not the States do something? Some of the States do. But if we are to provide additional service for the fish hatcheries at all, we ought to provide it in a sensible way, with economy in view. There is no economy in view in this bill. There is no economy in view in the Bureau of Fisheries; though doubtless if they were given \$900,000 to expend on fish hatcheries, they could provide much better than they will provide under this bill. If they were given half a million dollars to expend on fish hatcheries, they could provide better than they will under the terms of this bill; or, if they were permitted to enlarge certain fish hatcheries which they now have, without much increase of expense, they would furnish better service than they will furnish under the terms of this bill.

Mr. MILLER of Minnesota. The statement has been made by the gentleman from Illinois and by several others that many of these fish hatcheries are proposed to be located in States represented by gentlemen on the Committee on the Merchant Marine and Fisheries. Is it not also fair to state that doubtless the membership of this committee is composed of men who come from States that naturally ought to have fish hatcheries in them, States that are interested in the subject, and that that is one reason why they are on the committee?

Mr. MANN. I think the question of the construction or maintenance of fish hatcheries has never received any consideration from anybody in the appointment of the Committee on the Merchant Marine and Fisheries.

Mr. MEEKER. Will the gentleman from Illinois yield?

Mr. MANN. I yield to the gentleman from Missouri.

Mr. MEEKER. I note here, for instance, that Alabama, Louisiana, and Florida each will have a hatchery. Could not one hatchery be located to serve those three States, without putting one in each State? Would it not be possible to propagate in one hatchery all the different kinds of fish that are needed in that part of the country? And is not the same true of Arizona, New Mexico, and so on?

Mr. MANN. Oh, I should think it would be quite possible to establish one fish hatchery that would take care of half a dozen States instead of three. I do not believe we ought to adopt the policy of starting omnibus bills just now, simply because the election is over. Pork barrels are what they are! They are not economical! It is not an economical method of government!

I reserve the balance of my time.

Mr. HULL of Tennessee. Mr. Chairman, with the permission of the gentleman from Illinois I wish to say only a few words.

Mr. MANN. I yield to the gentleman.

Mr. HULL of Tennessee. As I indicated awhile ago, I do not question the merits of either of the items in the pending bill, but I do seriously question the urgency of this measure. I can readily understand that where it is proposed to make an appropriation or an authorization to meet an emergency, or to pass a bill of such wide importance and of such great benefits as to make its passage necessary and urgent, that is something to which we should give consideration. I can understand how the House at this time could afford to make appropriations for purposes of that character. But for a measure of this nature, carrying with it no urgency and no unusual importance—because there is only a very remote connection between this bill and the reduction of the high cost of living—I can see no necessity to tax the Treasury with appropriations of this character at this time. It is plainly evident that there are enough bills already pending which carry appropriations of equal importance and urgency with this, to make a new tax levy absolutely necessary.

Now, if gentlemen of the House are ready and willing to vote additional taxes to meet this class of appropriations, and therefore desire to establish at the beginning of this session the policy of making this character of authorizations, that is another question; but I do wish to emphasize before the House the fact that the Congress has been obliged heretofore, and will be obliged a little later on, to make a number of very large appropriations and authorizations to meet real emergencies and exigencies, and unless we expect to levy additional taxes, we will be unable at this time to take care of all that class of appropriations or authorizations which come within the category to which the pending bill belongs.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. HULL of Tennessee. Yes.

Mr. MILLER of Minnesota. The gentleman believes in making a very substantial appropriation to prevent the spread of the foot-and-mouth disease, does he not?

Mr. HULL of Tennessee. I prefer not to be diverted from this subject.

Mr. MILLER of Minnesota. The gentleman believes in making a substantial appropriation to fight the boll weevil, does he not?

Mr. HULL of Tennessee. Will the gentleman confine himself to this bill?

Mr. MILLER of Minnesota. The fish supply of the country is relatively just as important as the hog supply and the cattle supply, and if something is necessary to be done for the fish supply ought we not to do it?

Mr. HULL of Tennessee. I do not desire to be diverted from the matter before the House. Those other matters will be up a little later, and then I shall be glad to discuss them with the gentleman.

Mr. MILLER of Minnesota. This matter is up now.

Mr. HULL of Tennessee. We will discuss them as we come to them.

Mr. MILLER of Minnesota. I desire to ask the gentleman if the parity of reasoning would not require him to favor assistance to the fish industry, if that assistance is needed?

Mr. HULL of Tennessee. I have stated to the gentleman, and to the House, that I did not question the merits of any of these items.

Mr. MILLER of Minnesota. May I ask the gentleman another question?

Mr. HULL of Tennessee. Yes.

Mr. MILLER of Minnesota. Can the gentleman advise us as to whether the total value of the fishing industry during the year just passed was greater or less than it was five years ago? In other words, is the fishing industry of the United States increasing or decreasing?

Mr. HULL of Tennessee. I do not know what the fact is about that.

Mr. MILLER of Minnesota. I do not, either. I am asking for information. I was hoping some gentleman would tell us. My impression is that it is actually on the decline throughout the United States.

Mr. HULL of Tennessee. I am not familiar with that.

Mr. MILLER of Minnesota. If that is true, I should think that we need to do something to increase the fish supply, and there is no way in which we can do it better than by establishing fish-cultural stations and hatcheries to increase the quantity of fish in the waters of the country.

Mr. COX. Mr. Chairman, will the gentleman from Illinois yield to me two or three minutes?

Mr. MANN. I will yield to the gentleman five minutes.

Mr. COX. Mr. Chairman, it strikes me that this is a very inopportune time to pass a bill of this kind. I have heard on this floor bills characterized as pork-barrel bills for river and harbor improvement; I have heard public-building bills characterized as pork-barrel bills; but this is the first time in all of my 10 years' service in this House that I have seen a pork-barrel fish bill come on the floor. This bill directly and indirectly takes care of 24 States of the Union; at any rate, it gives 24 States of the Union a fighting chance to get a fish hatchery or a fish-cultural station. It makes an appropriation or authorization of \$840,000. Everyone knows that this is but a beginning. When it leaves the Senate it will come back here with \$840,000 more added to it.

I have listened very attentively to the gentleman from Missouri in regard to the bill, a gentleman for whom I have the profoundest regard and the greatest respect, and it struck me that the gentleman's presentation of his own bill was not very enthusiastic. I quite agree with him in his failure to be enthusiastic in the support of his own bill.

Mr. ALEXANDER. Will the gentleman yield?

Mr. COX. Yes.

Mr. ALEXANDER. Let me say to the gentleman that there are eight Senate bills incorporated in this bill, and that those bills have already passed the Senate. So that we wanted to obviate the possibility of its being loaded down in the Senate.

Mr. COX. But under the rules of the Senate they will be entitled to amend it.

Mr. ALEXANDER. Undoubtedly.

Mr. COX. And that is what they will do. The estimates at this session call for \$1,680,000,000 appropriation. The query with me and the query with us on this side of the House who

are to be held responsible for this sum of money is, Where is that money coming from? Who is going to pay the bills?

We have got to devise some new system of taxation unless we begin somewhere to lop off appropriations. I have listened attentively for some sound argument, some logical reason, for some man interested in this bill to give to this House a reason why it should pass. One man bottoms the necessity of the bill upon the ground of the high cost of living, and yet it is conceded that it will be a year before a single fish hatchery is in operation, and it will be from three to five years before any of the fish are large enough to be fit for consumption.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. COX. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the gentleman from Indiana is in favor of reducing as far as possible the cost of living in this country, and does he know of any better means of reducing the high cost of living than to increase the supply of food fish?

Mr. COX. Yes; I know of a hundred better ways. One way is to stop people from going to the cities and towns and let them go out and raise corn and wheat and cattle and things to sustain life.

Mr. HULBERT. Does not the gentleman from Indiana regard one of the elements that has added to the increased cost of living the failure of Congress years ago to do then what we are seeking to do now by legislation?

Mr. COX. No; I do not. We are everlastingly coming to Congress and piling burdens on Congress and asking Congress to do what the States ought to do. I have heard no proposition on the floor this morning, and I doubt if any will come, that the States pay any part of these expenditures. The bill ought not to pass, it ought to be defeated. [Applause.]

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BLACKMON].

Mr. BLACKMON. Mr. Chairman, I am not much of an alarmist. I can not agree that this bill is going to revolutionize the whole system of raising revenue. I do agree with the suggestion that this is a splendid step toward reducing the high cost of living, but the statement of the gentleman from Indiana [Mr. Cox] that we will not have any fish furnished by these hatcheries large enough to eat for a year or more does not appeal to me very strongly. If we do not start now or have some beginning point, we will never reap the benefits of this much-needed legislation. It does seem to me that the gentlemen here who oppose the bill and who undertake to defeat it, do so simply because they have no fish hatchery provided for in their States. I will be frank and say that I have a hatchery in this measure for my State, but I would not oppose it if I did not have one. Now, I know, and we all know, that where you are forced to send fish a long distance a great many die and that the transportation charges are tremendous. The fish commissioner knows more about the needs of this bill than do the gentlemen who are opposing it. They have not the facilities for knowing. All they know is what my friend from Indiana [Mr. Cox] knows—that it is going to cost a few dollars to do it, and that the States have not gone fifty-fifty with the Federal Government. That is all the objection he has to it. So I hope that in the interest of stocking the streams throughout this whole country you will vote for the bill. It ought to pass. It is meritorious, and it has been considered by those who know for years and years; and I would rather have the opinion of the fish commissioner than that of all of the guardians of the Treasury and the prophets in this whole Congress. [Applause.]

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentlemen, I am heartily in favor of this bill with an amendment. Of course, the bill in the main provides for proper fish-cultural stations and fish hatcheries irrespective of whether the amendment goes on or not, and I am satisfied that the House will permit it to go on. It is cheaper in the long run to have fish stations, and better results are obtained than to have fish stations that are far apart, with the extra cost in transportation and the handling of fish and the number that die. I want to call the attention of the House particularly to the bill H. R. 11245, which is the same as the general bill, only it reports out a substation on the Klamath River in northern California in the sum of \$15,000. The matter was taken up with the Bureau of Fisheries, and that bureau reported favorably upon it. In addition to California alone being interested in this, the States of Oregon and Washington are as vitally interested in the situation in northern California as California itself is. The station is on the Klamath River, near Hornbrook, in Siskiyou County, at the headwaters of the Klamath. The trout come from the ocean there and

spawn in the upper reaches of the Klamath River and return then to the mouth of the Klamath and then into the ocean, and many of those go on into the northern streams. Men in Seattle and in other places who have given this subject attention say that it is one of the most valuable breeding grounds of the salmon in the United States to-day. It is not a local matter; it is not for any particular place in the State of California. We have a splendid fish hatchery south of this about 100 miles, maintained by the State, known as the Sisson fish hatchery, where millions of eggs and fry and fingerlings are distributed over the State. South of that about 70 miles is the Beard fish hatchery, maintained by the Government, on the upper waters of the Sacramento, from which millions of eggs and fry are distributed by the Government.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. So that the gentleman is willing to come before the House with the statement of the necessity for a new fish hatchery where there are two within 170 miles of the one proposed?

Mr. RAKER. The gentleman does not understand the topography of the country. There are large mountains between, and it is not a question of the mere fact of establishing hatcheries, but it is a question of where you can expend \$15,000 and get \$100,000 in return for the expenditure of that money, and that is what we want. Further, in the southern part of the State I had the pleasure of going over the ground this fall and seeing the work being done, where the State is establishing another large hatchery at the foot of Mount Whitney, in Inyo County. This particular one referred to upon the Klamath River has been reported favorably by the Bureau of Fisheries, and they say it is very necessary, and that it will enable them to have a substation there at a cost of \$15,000 where millions of the fry may be propagated and returned to the river. See what it means—no hauling or handling or transporting—but the expenditure of that amount of money means ten or twenty or thirty fold increase in the amount expended, for you can hatch them or take care of them at the upper waters of the stream, turn them into the river where the young ones may go back, and then into the ocean, and afterwards come back into this river the next year following, and on north. It is one of the most valuable fish in the West.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. I will ask the gentleman from Illinois to yield me one minute more.

Mr. MANN. I yield the gentleman one minute more.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. GORDON. How many fish hatcheries does the State of California maintain out there on the coast?

Mr. RAKER. It maintains three, I think, altogether.

Mr. GORDON. How many does the Federal Government maintain?

Mr. RAKER. We have a fish hatchery at Beard, in Shasta County, and then there is a subhatchery, where they catch the fish and send them and breed and handle them at Battle Creek, and also one at Mill Creek; but this particular stream is known as the Klamath River, that flows into the Pacific Ocean, where these chinook salmon go up that stream and spawn, and because of the various conditions the spawn are lost, and if they established a branch hatchery right upon the banks of the river it would be the best investment the Government could make, because there they may take the fish out of the river, attend to the spawn, and rear them and take care of them and turn them back.

Mr. GORDON. How does it come that that investment never appealed to the State of California?

Mr. RAKER. Oh, well, the State of California is handling the rainbow trout, and many others, to put into the various streams. She is doing her part. This is the salmon that comes from the ocean, where it may go back to the ocean and repropagate and go through the other streams.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. HULBERT].

Mr. HULBERT. Mr. Chairman, when the chairman of the committee was in control of the time I rose several times for the purpose of submitting what I thought was a very proper and pertinent question, with a view to securing some necessary information. Inasmuch as I could not have the satisfaction of getting that information then I take this opportunity now of renewing the request. The bill under consideration was introduced on May 12, 1916. I find that on April 3, 1916, another bill very similar in terminology was introduced by my colleague,

Mr. DALE of New York, who was called home this morning. The distinction is that the Dale bill provides for a hatchery in New York on Long Island and, also, for a hatchery in the State of Massachusetts, both of which have been eliminated from the bill subsequently introduced, and now reported by the committee, and in their place there are substituted hatcheries for the States of Michigan, Missouri, Pennsylvania, and Minnesota.

My purpose in rising to interrogate the chairman of the Committee on Merchant Marine and Fisheries was to ascertain why the provision proposed in the Dale bill for a fish hatchery upon Long Island had been eliminated. In that connection I desire to call the attention of the committee to the fact that the State of New York has probably been the most progressive State in the Union in relation to the establishment of fish hatcheries. We had at the end of 1914 ten hatcheries in the State, maintained by the State at a cost of about \$75,000 per annum, or half as much again as was proposed in the Dale bill for the hatchery to be located upon Long Island. I find from an examination of the report of the commissioner on fish, game, and forestry of the State of New York that more than a billion fish were let out of the hatcheries in the streams in 1913, and that, gentlemen, is the condition which obtains in the fresh waters of the State of New York.

The end has come for the wild cod and migratory fish in the waters about the port of New York due to the pollution of the streams, which up to this time have not been regulated by Federal action; to the tremendous increase in the manufacturing industries located upon the harbor of New York and its tributaries; and also to the tremendous water-borne commerce of the port of New York, which within the last year has increased more than 100 per cent in local commerce. These waters are the most extensive and the most bountiful feeding grounds for marine life in the United States. The food is there; the rocky, spongy, mussel-breeding bottoms are there; their home is there, but the inhabitants have been driven off. On Long Island, where formerly a few wild ducks lived, now they raise hundreds of thousands by cultivation in order to supply the metropolitan market; and so through cultivation New York and its adjacent waters could furnish many more fish than they originally did when they were able to supply all of the surrounding markets. The gentleman from Indiana [Mr. Cox] has denied that this question can have any material effect upon the reduction of the high cost of living, because, as he contends, the money that might be appropriated in this bill and expended thereunder for the establishment of these hatcheries would not be productive of results for a period of from three to five years from this time. But you will recall the question which I submitted to him and to which I do not feel I obtained any satisfactory answer. I believe the condition complained of now is largely due to the fact that Congress has not in the past looked at the situation which we are confronted with now and taken action with respect to it; and if the condition which we undertake to remedy at this time had been taken care of three or four or five years ago, we would not now be confronted with this condition at the present time. [Applause.]

But New York is a State of great wealth, and having blazed the way and demonstrated the success of State hatcheries and the benefits thereof the balance of the country will be provided with them at Federal expense, and New York, the great revenue producer, will contribute the largest share of the expense.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, it is exceedingly regrettable that this bill was not up before November, for this would have been a very profound line of argument as to the cause of the high cost of living. I fancy that the administration will discover what the cause is about as soon as we get this appropriation through and get the hatcheries, as far as that is concerned. The thing I wanted to know from the chairman of the committee was whether we are legislating for separate States or for sections, and if so, why it is necessary for a hatchery in northwestern Texas and in Oklahoma?

Mr. STEPHENS of Texas. Does the gentleman want me to answer that question?

Mr. MEEKER. I would like to have an answer.

Mr. STEPHENS of Texas. The place where this was desired to be located was at Canon City, near the head of the Red River, because there is not a fish hatchery within 500 miles of that place which would cover the eastern part of New Mexico. The fish escaping from the dam there could reach the Mississippi River after passing through five States, and it would be a great benefit to the people of all that vast section of country at the head of the Red River Valley.

Mr. MEEKER. Then it is understood that this point was fixed before this appropriation was made?

Mr. STEPHENS of Texas. I say there is a demand there. You can not find in the United States where there is a greater demand for a fish hatchery than at the head of the Red River.

Mr. MEEKER. Well, that is located. Now, what in regard to Oklahoma?

Mr. STEPHENS of Texas. Oklahoma has nothing in the bill, as I understand it.

Mr. MEEKER. Read the bill.

Mr. STEPHENS of Texas. What part?

Mr. MEEKER. I am asking the gentleman about that.

Mr. STEPHENS of Texas. I am concerned only with the bill which I introduced myself.

Mr. MEEKER. I see.

Mr. STEPHENS of Texas. And which had a favorable report from the Fish Department.

Mr. MEEKER. Having obtained such a frank statement as to why it has been agreed this fish hatchery should be established—

Mr. ALEXANDER. Mr. Chairman, I do not think it is understood that the gentleman from Texas has fixed the location in reference to the location of this hatchery or that it has been agreed upon between him and the department.

Mr. STEPHENS of Texas. No; my bill requested the department for a report upon the bill, and they reported it favorably.

Mr. ALEXANDER. As far as its location in this territory is concerned—

Mr. STEPHENS of Texas. I think it ought to be located at Canon City, at the head of the Red River—

Mr. ALEXANDER. The bill does not designate.

Mr. STEPHENS of Texas. It designates northwestern Texas; but this is tributary to the whole northwestern section of Texas.

Mr. MEEKER. Will the gentleman kindly answer, if he can, why these two hatcheries are necessary in practically the same territory?

Mr. ALEXANDER. They are not in the same territory. If the gentleman knows anything about the State of Texas, he knows that it is a thousand miles across it.

Mr. MEEKER. It is in northwestern Texas.

Mr. ALEXANDER. The Panhandle of Texas is an immense territory itself and a good way from where the hatchery may be located in Oklahoma.

Mr. MEEKER. The gentleman from Texas has an idea as to where this will be located in Texas?

Mr. ALEXANDER. Very naturally.

Mr. STEPHENS of Texas. It will be on the waters of the Red River, and will thereby benefit the whole country there.

Mr. MEEKER. How are the three States of Alabama, Louisiana, and Florida served now?

Mr. ALEXANDER. Florida has a biological laboratory at Key West.

Mr. MEEKER. What is so peculiarly different between the fish life of Louisiana and Alabama that they could not live in the same hatcheries?

Mr. ALEXANDER. They have no fish hatchery in the State of Florida. They have no fish hatchery in the State of Alabama. What other States did the gentleman inquire about?

Mr. MEEKER. Louisiana and Alabama and Florida are the ones about which I inquired.

Mr. ALEXANDER. I say there is none in Alabama, according to this map, and there is none in the State of Louisiana. Somewhere along the coast, between those two States, the department asked to locate one of these hatcheries.

Mr. MEEKER. Each of these States has a specific sum. Can not those two States be served with one?

Mr. ALEXANDER. I do not know. I am taking my information from the department.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums, or so much thereof as may be necessary, be, and the same are hereby, authorized to be appropriated for the establishment of fish-hatching and fish-cultural stations in the States hereafter named at suitable points indicated hereafter, to be selected in the discretion of the Secretary of Commerce, including purchase of sites, construction of buildings, and equipment.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. This bill contains one section and a large number of additional paragraphs. Will it be read for amendment by paragraph or as one section?

The CHAIRMAN. The usual custom is to read the bill by paragraphs for amendment.

Mr. MANN. I just asked that before we commence,

Mr. ALEXANDER. I understand that is true of an appropriation bill, but it is not true of a general bill of the character of this one. There is only one section in the bill.

The CHAIRMAN. The custom is that where a bill is divided into paragraphs to read it by paragraphs. The Clerk will read.

The Clerk read as follows:

State of Alabama, \$50,000.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 3, at the end of the line, insert: "State of California, on the Klamath River, \$15,000."

Mr. RAKER. Now, Mr. Chairman, I just want to say a word in addition to what I have already said. This amendment is in accordance with H. R. 11245, which was reported to the House under Report No. 1045. The bill had been introduced, but was overlooked in some way by the committee. After looking over the matter, I thought it was disposed of with the rest. I appeared before the subcommittee with the memoranda and data, and the subcommittee reported favorably, and the matter was then submitted to the full committee, when that committee reported the bill H. R. 11245, which contained a report from the Bureau of Fisheries. And among other things they state as follows:

When the bill was first introduced it was the opinion of the bureau that what was contemplated was the establishment of a station entirely independent of and apart from the Baird station, but since the receipt of further information showing that the appropriation of \$15,000 is being sought for the construction of an auxiliary to the Baird station the bureau has been fully in accord with the plan formulated, as the work it has conducted during the past few years in this field has demonstrated beyond a doubt its great fish-cultural possibilities. The bureau will therefore be pleased to indorse a bill of this character either at this or the next session of Congress.

Until such time as a special appropriation is provided for an auxiliary station near Hornbrook the policy of the bureau will be to provide adequate facilities, so far as possible, for development in the immediate vicinity of the eggs and fry resulting from the Klamath River collections, liberating the young fish in that river direct, under the supervision of a proper official of the bureau.

Mr. BORLAND. I would like to ask the gentleman from California why he attempted in his amendment to designate the place where it is to be located, in view of the fact that the purpose of the bill is to give to the department the best possible facilities in locating these stations?

Mr. RAKER. This bill (H. R. 11245) says it is to be located on the Klamath River. That river is in Oregon and in California, and the purpose is to let them put it on the Klamath River wherever they please, a substation to be located right where they take the fish that come from the Pacific Ocean out of the Klamath River, and then they can return them after they have been properly cultivated.

Mr. BORLAND. As I understand, there are now two fish hatcheries on the Sacramento River?

Mr. RAKER. I do not know.

Mr. BORLAND. There is one fish hatchery with a branch? Is not that true?

Mr. RAKER. There is only one fish hatchery, and that is at Baird, which is at the headwaters of the Sacramento.

Mr. BORLAND. The fact is this, that the Baird hatchery is a substation of an older hatchery.

Mr. RAKER. No; the Baird hatchery is an independent station established by the Government.

Mr. BORLAND. There are two divisions there of one hatchery on the Sacramento River?

Mr. RAKER. At Battle Creek and Mill Creek, on the Sacramento River, they simply have stations without any buildings or anything, where they go and take the fish out, and then send them up to Baird or to other hatcheries for proper development.

Mr. BORLAND. Would it not be a whole lot better to leave this amendment, like the others, to the discretion of the department?

Mr. RAKER. I have no objection, only the department said they wanted it located on the Klamath River. That is the very purpose of it. It is cheaper. There is no transportation to it.

Now, I just want to say this to the House, in addition to what I said a moment ago, when some of the Members were not here: This fish hatchery is particularly advantageous to the Government to cover the fish coming from the Pacific Ocean up the Klamath River. Just above where the hatchery will be are the falls. Of course, many of the large fish whip themselves to death before they get there, and we do not get the benefit of them. The officials of the various fish institutions in Washington and Oregon have written to me letters on this matter—I am sorry I have not them before me—in which they say

that the Klamath River produces principally the Chinook trout, which is one of the most valuable fishes yet in existence, and it is very necessary to propagate this species of fish.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I want two minutes longer, by unanimous consent.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for two minutes longer. Is there objection?

There was no objection.

Mr. RAKER. So that we may get the benefit of it. The buildings will be modest and up to date, and it requires little work of that kind. It is only to put up the places to provide for the fish, so that they may be handled.

The State of California itself this year is putting up a plant at the base of Mount Whitney at a cost of \$175,000, a magnificent plant, and one of the most elaborate stations in the United States. They already have one at Sisson, erected with a large expenditure. That is principally for the mountain trout, so that we may stock the mountain streams with the mountain trout and provide food for the people.

Mr. BORLAND. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Missouri?

Mr. RAKER. I yield for a question.

Mr. BORLAND. I notice on this map there is an auxiliary station at Hornbrook, on the Klamath River.

Mr. RAKER. Yes. That is the one I am talking about. They take the fish and transport them to the other hatcheries. But by putting the new station there they can maintain it and handle it with the appropriation and maintain the station for the purpose of properly propagating this most valuable fish.

Mr. BORLAND. Is the gentleman providing for an additional hatchery or providing for the enlargement of this one?

Mr. RAKER. It is the same one.

Mr. BORLAND. What facilities have they there now?

Mr. RAKER. Simply a few little buildings, where they go and catch the fish. But they have to transport them at large expense, with a great loss of fish.

Mr. BORLAND. When they transport them they transport them to Baird?

Mr. RAKER. Yes; but you must remember that is off the railroad.

Mr. BORLAND. And according to this map that is about 100 miles away.

Mr. RAKER. Yes; something like that.

Mr. BORLAND. That is pretty close for a fish hatchery.

Mr. RAKER. My dear friend from Missouri can not recognize the fact that there are mountains in that country, with a rise of 5,000 feet in 20 miles, and others with a rise of 7,000 feet. These streams are on different mountain spurs running from the Sierra Mountains west.

Mr. BORLAND. Do you have to have one every 100 miles in order to cover them?

Mr. RAKER. The streams are there. Why not provide for a fish supply by propagating them?

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. GARRETT. I think the committee has heard this matter discussed until probably it is ready to vote on the direct issue of the passage of the bill. I think there ought to be a test of the matter now. I therefore withdraw the pro forma amendment and move to strike out the enacting clause.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the enacting clause. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. GARRETT. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 47, noes 70.

So the motion was rejected.

The CHAIRMAN. The Clerk will read.

Mr. SLOAN. Mr. Chairman—

Mr. BORLAND. Mr. Chairman, a point of order. Is not an amendment pending?

Mr. SLOAN. I have an amendment.

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized on the amendment.

Mr. SLOAN. I would like to have my amendment read.

Mr. RUSSELL of Missouri. There is an amendment pending now.

The CHAIRMAN. The Chair understood the gentleman from Nebraska was rising to discuss the amendment offered by the gentleman from California [Mr. RAKER].

Mr. SLOAN. The Chair announced that the Clerk would read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. RAKER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 44, noes 33.

So the amendment was agreed to.

Mr. SLOAN. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The gentleman from Nebraska offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 2, after line 3, insert: "The State of Nebraska, \$50,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

Mr. SLOAN. Mr. Chairman, this bill is drawn favoring 18 new fish hatcheries. I understand there are already established at different points throughout the United States 41 hatcheries. The apparent purpose of this bill is to distribute the fish hatcheries, rather than to increase the efficiency of the hatcheries already established. The question of transportation seems to have been the important consideration in drafting this bill.

Now, if that is true and the bill is passed, it ought to be passed in such a form as to carry out the important proposition involved in the bill. That is the distribution of the hatcheries for the purpose of meeting the factor of transportation. I call the attention of gentlemen of the committee to the fact that in the States of Nebraska and Kansas, which involve over 5 per cent of the area of this country, there is no national hatchery. There are numerous streams in both these States, and, taking into consideration the question of transportation, it seems to me that we are entitled to an amendment to this bill taking in that part of the continent.

Mr. MILLER of Minnesota. Will the gentleman yield for a question?

Mr. SLOAN. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Has the gentleman introduced a bill providing for the establishment of a station in Nebraska, and has it been considered by the Bureau of Fisheries and reported favorably by the committee?

Mr. SLOAN. I have not introduced a bill, but I assume that the members of this committee have studied the geography of this country; and when I say the members of this committee, I include the gentleman from Duluth.

Mr. MILLER of Minnesota. I beg the gentleman's pardon. I am not a member of the committee.

Mr. SLOAN. And having looked at the map of the United States, the gentleman will discover that there is a large section of the United States unprovided for, and I insist that if this is merely a matter of distribution, which it apparently is, that section of the United States should be given a hatchery. [Applause.]

Mr. ALEXANDER. Mr. Chairman, the amendment just agreed to embodies the provisions of a bill favorably reported from the Committee on the Merchant Marine and Fisheries, which bill is on the calendar, providing for an appropriation of \$15,000 for an auxiliary hatchery. The Commissioner of Fisheries informed me that that hatchery would only operate a part of the year, and would not require anything more than the transfer of a few men to that point to conduct the hatchery during that period. For that reason I voted for that amendment, because we had reported the bill, after the general bill was reported to the House.

Now the gentleman from Nebraska is offering an amendment to establish a fish hatchery in the State of Nebraska. No bill has been introduced for the establishment of a fish-cultural station or a fish hatchery in the State of Nebraska. It has not been considered by the committee, of course, nor by the department; and I sincerely hope that the friends of this legislation will vote down such an amendment as this. It may be that Nebraska has a meritorious case, but the Members from Nebraska should take enough interest in the subject to introduce a bill or bills, and let them go to the committee and to the department to be considered.

Mr. SLOAN. Will the gentleman yield for a question?

Mr. ALEXANDER. Yes.

Mr. SLOAN. Has not the gentleman stated in the hearing of this House that the whole country was considered? And is it necessary, parliamentarily or otherwise, in the consideration of an omnibus bill that there shall have been a special bill introduced, in order to receive the attention of this committee?

Mr. ALEXANDER. I do not think "the gentleman" made any such statement. The gentleman said that all bills introduced were referred to the department, with requests that such of them as they regarded of prime importance should be considered and reported back to the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question being taken, on a division (demanded by Mr. SLOAN) there were—ayes 46, noes 55.

Accordingly the amendment was rejected.

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LENROOT: Page 2, after line 3, insert: "State of Wisconsin, \$50,000."

Mr. LENROOT. Mr. Chairman, this amendment provides for the establishment of one of these stations in the State of Wisconsin. There have been some intimations that this is a pork-barrel bill. I do not know whether it is or not, but I propose to have a test of that question upon the vote upon this amendment.

Mr. GORDON. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. GORDON. Will you vote for the bill if your amendment is adopted?

Mr. LENROOT. I will reach that later. I propose to have a test of that question upon this proposition: The State of Wisconsin is bounded upon the north by Lake Superior, upon the east by Lake Michigan, and upon the west by the Mississippi River. It has in its interior thousands of lakes and innumerable streams. It once had more fish within its lakes and streams than any other State in the Union. Its waters have been depleted because Wisconsin has become the Mecca of the sportsmen of the country. The State of Wisconsin has already provided nine of these stations at its own expense. It has not one Federal station. Yet those nine stations are not able to supply one-fourth of the demand for fish fry and fingerlings. The chairman of the committee [Mr. ALEXANDER] indicated a moment ago that if a bill was not introduced for a station within a State, that State had no right to consideration upon this question. Mr. Chairman, if that is so, then this is a "pork-barrel" bill and nothing else, because if the interest of the country is considered and the culture of fish is considered, the committee will not, either in this instance or any other, base its action upon the question whether some Member has introduced a bill or not. So, Mr. Chairman, if there is a single State in the Union that is entitled to a Federal fish-cultural station it is the State of Wisconsin, and I have a right to ask the chairman of this committee to explain why, if this is not a "pork-barrel" bill, the State of Wisconsin was not included and to give some reason other than the reason that he gave a moment ago, because, Mr. Chairman, if measures of this kind are to depend upon the insistence with which Members ask for them, the sooner we know it the better, and the sooner the country knows it the sooner it will condemn "pork barrels" of this character. [Applause.]

Mr. SAUNDERS. Mr. Chairman, I desire to call the attention of the committee to the fact that the chairman of the subcommittee that investigated this matter, and conducted all the inquiries, came from the State of Wisconsin. If this was a pork-barrel proposition, Wisconsin would have been included in this bill. I repeat that the chairman of that subcommittee came from the same State as the gentleman who has just spoken [Mr. LENROOT], but after investigating the merits of the whole situation it is manifest that he must have become thoroughly satisfied that the needs of Wisconsin were not urgent, since he failed to include that State in the bill reported.

Mr. LENROOT. Will the gentleman yield?

Mr. SAUNDERS. Certainly.

Mr. LENROOT. Did the chairman of the subcommittee make any statement to the committee with reference to the State of Wisconsin?

Mr. SAUNDERS. He was there to look after Wisconsin, as well as the other States.

Mr. LENROOT. Did he make any statement of the kind which the gentleman's remark would infer?

Mr. SAUNDERS. I do not know what kind of a statement he made before the subcommittee.

Mr. LENROOT. Then the gentleman ought not to make that statement.

Mr. SAUNDERS. I do not understand the gentleman. I am merely calling attention to the fact that the chairman of the subcommittee came from the gentleman's State, and that presumably he was as anxious to advance the interests of the State of Wisconsin, as the gentleman who has just spoken [Mr. LENROOT]. But the fact remains that with the whole situation before him, and after examination of all the measures under consideration the chairman of the subcommittee reported a measure which did not include the State of Wisconsin, though he was immediately concerned with the welfare of that State. Hence I repeat my statement that if this had been a pork-barrel bill, Chairman BURKE would have had something for Wisconsin included in his report.

Mr. LENROOT. Is it not a fact that the subcommittee only considered bills where Members had introduced bills from the States and had recommendations from the department, and that the committee did not consider the needs of the country?

Mr. SAUNDERS. That is not the fact. I will state that it was ascertained by inquiry that Wisconsin was so situated, with reference to certain fish hatcheries conveniently located in other States that its wants were reasonably supplied from these hatcheries. There are several stations and substations near the border line of that State.

Mr. MANN. I would like to inquire of the gentleman where those stations are. There is none in Illinois, none in Iowa convenient to Wisconsin, and not any in Lake Superior or Lake Michigan. There is one at Duluth, Minn., but it is a long way from furnishing what Wisconsin requires. The gentleman's information as to what the subcommittee had before it is erroneous.

Mr. SAUNDERS. That matter was considered. There is a station at Duluth.

Mr. MANN. That is the only one.

Mr. SAUNDERS. The gentleman is mistaken. There is one at a place called Homer, an auxiliary station at La Crosse, and another one at North McGregor, and another one at Bellevue, south of the Wisconsin line.

Mr. MANN. The subcommittee did not know what a fish-hatchery station was.

Mr. SAUNDERS. The subcommittee was very well advised in that respect. The conditions in Wisconsin are not like the conditions in California, where high mountain ranges intervene between stations. Hence Wisconsin can be adequately served from stations in contiguous States and there is no immediate urgent necessity for a new station in that State.

Mr. MANN. Mr. Chairman, it is very peculiar that it is said that the station at Duluth is able to supply the fish fry needed for Wisconsin, but that Minnesota must have a new station. [Laughter.] That is logic for you clear down. Here is Wisconsin that has no station that can supply it on the east, no station on the south, no station on the west, no station for the extreme point on the north. Minnesota has one that can supply them, and yet Minnesota needs an additional one. [Laughter.]

Mr. SAUNDERS. I wish to repeat that there are three fish-hatchery stations immediately contiguous to Wisconsin and three auxiliary fish hatcheries.

Mr. LENROOT. What are those three.

Mr. SAUNDERS. I have stated already. One at Duluth, one at Homer, one at Manchester, and three auxiliary fish hatcheries, one at La Crosse, one at North McGregor and one at Bellevue.

Mr. MANN. Those are not fish hatcheries.

Mr. SAUNDERS. They are auxiliary fish hatcheries operated in connection with the main hatcheries.

Mr. MOORE of Pennsylvania. Mr. Chairman, I wish to oppose the amendment. I hesitate to differ with the gentleman from Illinois on questions of this kind, but very often these questions are determined by whose ox is gored. Illinois has a provision in this bill for a \$50,000 hatchery. My distinguished and venerable colleague from Illinois, the former Speaker of the House, is opposed to the bill, and the other gentleman from Illinois [Mr. MANN] is also, on the ground that it is a pork-barrel bill. In another place, at about this hour, there is a discussion going on in consequence of false information to the people of this country as to the alleged pork-barrel methods in the distribution of river and harbor appropriations, and those interested in the development of this country through the rivers and harbors are invited now to the Hotel Willard to express themselves whether or not the appropriations made by this Congress are falsely and wrongfully made, so that believers in the "pork barrel" have their inning now.

An appropriation is provided for in this bill of \$50,000 for a hatchery somewhere along the Delaware River. In that I am interested. I think that a worthy project. Opposition comes up from other sections of the country to such appropriations,

however, and most of it seems to come from those who have very small rivers in their States or no rivers at all. They want no appropriations made, unless they can be included in what they call the "pork-barrel" bill. I have said before, and I say again, that what seems to be "pork" in the minds of most people, is that which the other fellow gets and not what you get for yourself. [Laughter.]

Now, my distinguished friend from Illinois, Mr. CANNON, opposes this measure on the ground that it is a pork-barrel bill, and in the same breath indicates that if you can propagate fish in the mudpuddles behind the levees of the Mississippi, you ought to destroy all the fish hatcheries along the Atlantic seaboard and Great Lakes and raise all the fish along the banks of the Mississippi, because it would be easier to distribute them to all the small points of the United States from the region of the Mississippi. That is a home viewpoint for you. Is it not strange how we see these things from our own viewpoint, and is it not strange how, when we are not included in the bill, we want to oppose what some one else is trying to do? [Applause.]

We are now up against the question of the food supply for the people of this country, and the cheapest food we have had during the whole period of the high cost of living has been the food that we have acquired from the fish supply of the country. Some day that will run scarce out yonder along the Lakes and upon the Pacific coast, as it is running scarce now along the Atlantic seaboard. There is no earthly reason in justice or in common sense why we should abolish such existing hatcheries as we now have along the great water lines, except, perchance, that the gentleman from Nebraska [Mr. SLOAN] can not get in the bill the same provision for a fish hatchery upon the plains of Nebraska that we want for a fish hatchery along the shores of the Delaware River. [Applause.] I was amazed to find that while it is easy always to inveigh against great States like New York and Pennsylvania, which maintain fish hatcheries on their own account paid for by the people of those States—not a single dollar has been expended upon them by the Government of the United States, certainly not in Pennsylvania, for fish hatcheries within the boundaries of those States—out yonder the State of Iowa, due to the shrewd, careful, attentive representation of its Members of Congress, has already secured appropriations for two Government hatcheries within the confines of the State. It seems to me the cry of "pork barrel" in this instance is very far-fetched, and is unfairly applied. [Applause.]

Mr. BROWNE. Mr. Chairman, I move to strike out the last word. I desire to say a word in regard to the location of a fish hatchery by the United States Government within the State of Wisconsin. My friend from Virginia [Mr. SAUNDERS] mentioned the fact that Wisconsin was already provided for. The hatcheries to which he referred are simply auxiliary hatcheries, and auxiliary hatcheries, as I understand it, do not distribute fish but simply send fish out to some other hatchery, and that other hatchery distributes the fish. There is not any national hatchery in the State of Wisconsin. We have nine State hatcheries. Let us take, for instance, the matter of whitefish alone.

The whitefish would have at this time become extinct if it had not been for the State of Wisconsin and its fish hatcheries. The State alone has expended hundreds of thousands of dollars in propagating whitefish. We put them into the Great Lakes at Superior and Ashland, and the fishermen at those points were skeptical at first as to the State stocking great bodies of water like the Great Lakes; but the whitefish that the State of Wisconsin planted in the Great Lakes at that time were of a different kind, the kind of whitefish known as the blue-fin whitefish, and to-day almost the only whitefish they are catching in the Great Lakes are the blue-fin whitefish. The State of Wisconsin has, I think, been the only State to propagate and plant whitefish, and, as I have said, if it had not been for the work of our State hatchery the whitefish, the best fish that swims, would have become extinct. I think that a State that is doing a great work like that and is unable to meet the demand that great bodies of water that touch the several different States like the Great Lakes make, together with the great Mississippi River on one side, ought to receive some consideration at the hands of the Government of the United States. In the Mississippi River millions and millions of bass fry go up into the sloughs every year, where they die. The State of Wisconsin alone appropriated thousands of dollars in saving this fry and planting it in the Mississippi River and other streams and lakes. The people of every State that the Mississippi River touches or border on the Great Lakes are directly benefited and as greatly benefited as the people of Wisconsin, who are being taxed to meet the demand that these navigable waters make upon the State fish hatchery. You can erect a hatchery in Wisconsin and propagate your whitefish and your lake trout for the Great Lakes, and you

can also get your bass fry right from the Mississippi River without having to propagate it, and can send this fry out to all the States of the Union. We have fine railroad facilities and every natural advantage; we are right in the center of a great population, and I can not see for my part one feasible reason why we are not entitled to a Government hatchery in Wisconsin, unless you say that the chairman of that subcommittee, coming from the southern part of the State, far from Lake Superior, did not introduce a bill providing for a hatchery, and I do not think Wisconsin on any such ground is estopped at this time from presenting its claims; and if you can not answer the claims of Wisconsin for a hatchery you ought to grant at least some encouragement to a State that already is supporting nine State hatcheries, that has remarkable natural advantages for the culture of fish, and is doing wonderful work in the line of propagating and planting fish. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. LENROOT].

The question was taken; and on a division (demanded by Mr. ALEXANDER) there were—ayes 67, noes 64.

Mr. ALEXANDER. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. ALEXANDER and Mr. LENROOT were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 73, noes 73.

So the amendment was rejected.

Mr. HOUSTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, after line 3, insert: "State of Tennessee, \$50,000."

Mr. HOUSTON. Mr. Chairman, it is a fact that there is at the present time a fish hatchery in the State of Tennessee, but it is in the extreme northeast corner of the State. It is on the east side of a large range of mountains, and those mountains lie between that fish hatchery and the remaining portion of Tennessee. When you come to establish hatcheries with a view to having facilities for properly distributing the products thereof this hatchery in Tennessee does not at all supply the demands of that State. It is further true that there is a hatchery in Kentucky which is at the extreme northern end of that State, and a hatchery in Arkansas, at the north middle boundary of that State and across the Mississippi River. When you consider it from that point you will see that middle Tennessee and west Tennessee are much farther removed from the supply of a fish hatchery than most of the States, even, that have none. The Committee on Merchant Marine and Fisheries in three former Congresses has reported a bill recommending the establishment of this hatchery in Tennessee. The committee of the present Congress reported a bill, leaving out the recommendation for the hatchery in Tennessee; but that fact was called to the attention of the Secretary of Commerce, and his attention was called to the geographical location of the present hatchery and the needs of the other portions of the State, whereupon he wrote a letter to the chairman of the subcommittee, the gentleman from Wisconsin [Mr. BURKE], strongly urging the establishment of a hatchery in Tennessee.

Now, this letter written to Mr. BURKE, unfortunately for me, I am not able to produce and present to the House, because it is with Mr. BURKE's papers; and I have asked the secretary of the committee to investigate, and he can not find it in the committee room. We are sure it is there, but at the present moment it is inaccessible. Now, there is no place anywhere that needs a fish hatchery more than Tennessee. The hatchery now located contiguous to Virginia and North Carolina supplies that portion of the country much more readily than it does middle Tennessee or west Tennessee. Now, Members of the House will remember the length of that State. It is a very long State, and this end is some 350 or 400 miles from the other border—

Mr. BLACKMON. Will the gentleman yield?

Mr. HOUSTON. I will.

Mr. BLACKMON. Did the gentleman vote to strike out the enacting clause of this bill?

Mr. HOUSTON. I did not. Now, the report of the Fish Commissioner states the fact that the hatcheries in the section of the country contiguous to middle Tennessee and west Tennessee are not sufficient to supply the demands made upon that part of the country. The need is apparent to the country, and the locality for establishing the fish hatchery can not be surpassed in this Union. The cold mountain springs, the cold water that runs out of these springs in middle Tennessee in the fifth district is equal, if not superior, to any in the Union for the purpose of fish culture. [Applause.]

Mr. ALEXANDER. Mr. Chairman, this is another amendment that has not been considered by the committee in this

Congress. This morning, in conversing with Dr. Smith, the Commissioner of Fisheries, I called his attention to this particular measure and to the fact, as I understood it, that the Secretary of Commerce had written a letter to the chairman of the subcommittee, Mr. BURKE, recommending the establishing of this hatchery in Tennessee. The statement of the gentleman from Tennessee [Mr. HOUSTON] is no doubt correct as to the recommendation made by the Secretary of Commerce, but, as I say, this bill was not considered by the subcommittee, nor was it considered by the committee. I assume that the report reached the chairman of the subcommittee after the pending bill had been reported to the House; otherwise it would have received careful consideration.

I do not want the committee to understand we reported to the House bills for all the States of the Union where hatcheries might be established with profit, but we have undertaken to follow the rule of reporting none except those which are regarded as of paramount importance under existing conditions. I assume that later on other hatcheries ought to be established in the States of Tennessee, as in Wisconsin, but if we undertake to meet all these demands in this bill we will not accomplish any part of the purpose, because the bill will fail to become a law. My hope is that this may be a substantial beginning to supply a need that has existed for years past, but which has not been met heretofore. Hence, I think it would be unfortunate at this time if we should load this bill down with amendments, because it would insure the ultimate defeat of the bill, and the friends of this class of legislation should face that proposition. If I were in a State that was not included in this bill, I would rather defer my chance to another Congress than to load this bill down and thereby insure the defeat of the whole project.

Mr. HOUSTON. Will the gentleman yield for a question?

Mr. ALEXANDER. I will.

Mr. HOUSTON. I desire to ask the gentleman if it was not a fact that this bill was reported favorably by three other Congresses. I believe the gentleman did not mention that fact.

Mr. ALEXANDER. I do not recall the fact.

Mr. HOUSTON. I am corroborated in that statement by my colleague [Mr. PADGETT], that the fact is true.

Mr. ALEXANDER. I would not state as to whether it was true or not. The gentleman's statement may be correct. I would not be understood as questioning its accuracy.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to indorse all my colleague [Mr. HOUSTON] has said in reference to the location of the present hatchery in Tennessee and to appeal to this committee to support his amendment. I wish this bill could be opened up so we could all get a fish hatchery. [Applause.] We can not have too many. We have not had such a bill passed through Congress in the last eight years, and the demand for fish is growing all the time and the people are taking the fish out of the rivers faster than the Government fish hatcheries can restock them. I know from personal experience the single fish hatchery in eastern Tennessee is unable to supply the demand for fish in that State alone, not to take into account the neighboring States which need and ought to have fish. Now, we are in the midst of the high cost of living and here is a proposition which looks to the reduction in the cost of living by the restocking of the rivers and creeks and lakes of this country. What are 18 additional fish hatcheries in 48 States of the Union? There are 10 or 15 rivers in the State of Tennessee alone, 6 of them in the district I represent, and I have tried for eight years to have the Government of the United States to properly and adequately restock the rivers and creeks in my district, and I am far behind and I want to catch up, and the way to do it is to secure an additional fish hatchery in Tennessee. The fact that this Tennessee proposition has merit in it is made apparent by the action of the Fish Department of the Government, which indorsed it in a report to Congress, and the committee which submitted the pending bill went on record approving the report of the department by recommending a favorable report on a general bill in the last Congress carrying this Tennessee proposition for an additional hatchery in that State. Now, there is no finer sport in the world than fishing. We want and need cheap fish, and besides it is a fine brain food, and, according to the late election returns, we are badly in need of more brain food in this country. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. AUSTIN), there were—ayes 54, noes 47.

Mr. SAUNDERS. Tellers, Mr. Chairman,

Tellers were ordered.

The committee again divided; and the tellers (Mr. ALEXANDER and Mr. HOUSTON) reported that there were—ayes 44, noes 54.

So the amendment was rejected.

Mr. HICKS. Mr. Chairman, I desire to offer the following amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after line 3, insert "State of New York on Long Island, \$50,000."

Mr. HICKS. Mr. Chairman, I offer that amendment, which is practically in the same form as the bill introduced by one of my colleagues. The situation of Long Island is peculiar. It is one of the best adapted sections of this country for the propagation of fish.

Mr. GORDON. Mr. Chairman, will the gentleman yield at that point?

Mr. HICKS. I will gladly yield.

Mr. GORDON. Your colleague, the gentleman from New York [Mr. HULBERT], just stated that the water was so foul in that vicinity it had driven all the fish away.

Mr. HICKS. Not on the eastern end of Long Island.

Mr. GORDON. I so understood.

Mr. HICKS. That is in the harbor of New York, but this hatchery would be established on the eastern end of Long Island, or at least out of reach of the contaminated waters of New York City.

I want to say to my friend from Ohio that this hatchery will not be located anywhere near Cleveland.

Mr. Chairman, the location of the hatchery on Long Island would be especially appropriate. We have 250 miles of salt water inland—sounds and bays. We have the greatest shell-fish industry in this whole country. The Blue Point, the Rock-away, and Peconic oysters are famous. Then we have the little-neck clam and scallops. We have the waters there that are especially well adapted not only to shellfish but to all varieties of other fish.

I remember as a boy that my father was in the habit of sending down to the bay near where I was born and obtaining scallops, which were shoveled up by the bushel to feed the chickens. The scallops have become exhausted by the constant digging of them, until none exist in that bay, and you can only find them far down on the eastern end of the island. They are so rare now that they are a great delicacy. I merely mention this to show the necessity of propagating our fishes. It is only by the means of these fish hatcheries that we can keep the waters of our harbors and our bays stocked with fish. We are far enough away from the great city of New York so that our waters are not made unfit for fish by the refuse that flows into that harbor from the city.

Mr. CLARK of Florida. Will the gentleman permit a question?

Mr. HICKS. I will.

Mr. CLARK of Florida. Since the scallops are all gone, what do they feed the chickens in New York now?

Mr. HICKS. We feed them on the poor oranges that come from Florida.

A hatchery established on Long Island would not only produce salt-water fish for our own immediate bodies of water but it would also furnish fresh-water fish for other sections of the State; and remember, gentlemen, salt-water fish add to the food supply of the Nation. Because New York State has been far-sighted enough in its policy and liberal in its appropriations in providing State fisheries are not valid reasons for denying us a Government hatchery, for remember we have 10,000,000 people who are entitled to recognition and that we pay the great bulk of the Federal taxes.

Mr. SAUNDERS. Mr. Chairman, it is not a very agreeable task for the members of this committee to oppose this and other amendments that have been submitted, because many of these propositions are meritorious. I do not know that there is a single proposition that has been offered this evening in the way of amendment that has not a certain measure of merit. The number of fish hatcheries in this country are plainly inadequate. We could provide in every State of the Union, for one, two, three, four or five additional hatcheries, and every one of them would serve a useful purpose.

But this body is a practical body, and we know how bills are made up. We worked out this bill with the aid of the Secretary of Commerce, and the Bureau of Fisheries, and have tried to report those propositions that seemed to be most urgent, necessary and meritorious. With respect to the particular proposition offered by the gentleman from New York, I may say that I have no doubt that it possesses real merit. So do many other like propositions. But I desire to call the attention of the com-

mittee to the fact that there are three Members from the State of New York on the committee that reported this bill. It is not likely therefore that the interests of the State of New York in the matter of hatcheries have been overlooked, or neglected.

Mr. HICKS. Will the gentleman yield?

Mr. SAUNDERS. With pleasure.

Mr. HICKS. Was not there a bill offered by the gentleman from New York [Mr. DALE]?

Mr. SAUNDERS. I do not know of it.

Mr. HICKS. Yes; there was.

Mr. SAUNDERS. If the gentleman says that such a bill was introduced, I will not take issue with his statement, but this bill was certainly never pressed before our committee. The fact remains however that there are three Members from the State of New York on the committee, and when we were engaged in working out a bill which necessarily had to include a large number of States, we would have heard from these gentlemen, if they had not been satisfied that the need of other sections were more imperative at this time. These gentlemen from New York were active, vigilant, and capable—and the committee may feel well assured that the interests of this great State were not overlooked in the preparation of the bill under consideration.

My colleague calls my attention to the following fact which I put before the committee, namely that in the State of New York there are 10 auxiliary fish hatchery stations. These stations I understand are not Government stations, but they are serving precisely the same function that they would serve, if they were Government stations. The chairman of the committee further reminds me that there is one Government station there. I did not recall that this was the case. This station is in the northwestern portion of the State on the waters of Lake Ontario.

The amendment under consideration ought to be rejected, and I hope that the committee will so dispose of it.

Mr. BENNET. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. BENNET. The gentleman from Virginia [Mr. SAUNDERS] is quite correct about the one fish hatchery in the State of New York. It is located at Cape Vincent, on Lake Ontario, and is necessarily, of course, for the propagation of fresh-water fish.

The greatest single question before the people of the East, at least, is the high cost of living, and one of the best ways of solving that question is by increasing the supply of food fish. And I want to pay a tribute right here and now to the present head of the Bureau of Fisheries for what that bureau has done in the rediscovery, if I may use that expression, of the tilefish, a very edible fish which has materially added to our selection of food fishes along the Atlantic coast.

Now, the purpose of my colleague's amendment is this: On Long Island is the ideal place to establish a fish hatchery for the purpose of studying such fish as the cod and other migratory sea-food fishes, and those fishes are disappearing. The cost of meat to-day in the city of New York is almost prohibitive to any person of an ordinary income, whereas such fish as the hake, a fish which is not heard of very much, but which is nevertheless a very edible fish, although of somewhat coarse fiber, can be had at times for as little as 3 cents a pound.

I am not going to criticize any of the items of this bill. The chairman of the committee and the other members state that they are necessary. They have looked into them. But I do know that this particular item for the State of New York is necessary, and I do know that the delegation from the State of New York has not been negligent. Our colleague [Mr. DALE] introduced the bill H. R. 14120, but for some reason or other it has not yet been acted upon favorably by the Committee on the Merchant Marine and Fisheries. Think of it! There is but one fish hatchery run by the National Government in the State of New York, up on Lake Ontario, for a State of 10,000,000 people, a State which borders on both fresh and salt water; and in this bill—and I am not criticizing the wisdom of the committee in preparing it—two new fish hatcheries are recommended for the State of Texas, to say nothing of some which are located at other places where it does appear to me it would be somewhat hard for the Government to get the water necessary for conducting the fish hatcheries.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. HARDY. Does the gentleman think that the population of a State or the size of the State ought to have something to do with a fish-hatchery proposition?

Mr. BENNET. I will call the gentleman's attention to the fact that we have a State 600 miles long, and with a population of 10,000,000, and that State certainly is entitled to such facilities as the gentleman recommends shall be provided for a State with the population of Texas.

Mr. HARDY. But your area is somewhat small as compared with that of the State of Texas.

Mr. BENNET. The length of our State is something between 500 and 600 miles.

Mr. HARDY. But the gentleman realizes that you have fish hatcheries and substations to the number of 10 already in New York.

Mr. BENNET. That is true; but, Mr. Chairman, that is the most ludicrous argument in opposition to this amendment that I have heard. Because we have had the public spirit to establish in the State of New York 10 State hatcheries of our own, because the Government has not given us any, then they say, "You ought not to have any Government fish hatcheries; you are paying for fish hatcheries yourselves. Why should the Government help you out?" That is certainly a great incentive to thrift on the part of a State.

Mr. HARDY. As I understand, the gentleman says because they have them already, they need them now. [Laughter.]

Mr. BENNET. I regret that every time anything is asked for by the State of New York, people take it lightly and make it matter of persiflage or jokes; but I notice that when it comes to raising an income tax, to provide money for running the Government, they take the State of New York pretty seriously.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. ALEXANDER. I wish to call the gentleman's attention to the fact that there is an auxiliary fish hatchery at St. Johnsbury, Vt., near the line between Vermont and New York, and one at Holden, also along the line between New York and Vermont; and it may be that, taking those two facts into consideration, in connection with the fact that there is a Government fish hatchery along the northern line of New York, the department was influenced in not recommending the establishment of an additional hatchery by the Federal Government in the State of New York.

Mr. BENNET. Mr. Chairman, it is true that those hatcheries that the gentleman has alluded to do exist. They are necessary. But they are for the propagation of fresh-water fish. We have a tremendous problem in connection with our ocean coast, and that is to propagate the fry of fish that live in salt water.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that he may proceed for two minutes more. Is there objection? There was no objection.

Mr. BENNET. This fish station that my colleague asks for, and which is asked for by my colleague's bill, that of Mr. DALE, is a hatchery wherein salt-water fish may be propagated. Fresh fish, it is true, are very good and toothsome, but they are not especially numerous, while the boundless ocean may be made to teem with fish that are food for the millions, and which will be especially advantageous and useful for the large population which borders the Atlantic coast.

Many of us have voted for the amendments offered in behalf of other States because we believed they were entitled to them, basing our belief upon the statements made by their Representatives. It does seem to me that upon the statement I have made and by bringing ourselves within the rule, in the fact that our delegation introduced a bill and gave the committee a chance to vote upon it, if they would, there can be no question as to the facts, and having made out our case, I submit that the amendment of my colleague ought to be adopted. [Applause.]

Mr. HARDY. Mr. Chairman, I wish to say but little in reference to this amendment, except to call attention again to the fact that this committee has struggled very hard to limit the number of recommendations that we make to those objects that are most needful and deserving.

Mr. BENNET. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. BENNET. How many fish hatcheries are recommended in this bill for the State of Texas?

Mr. HARDY. I shall expect to answer the gentleman's remarks along that line. There is one fish hatchery authorized along our coast. We have a long coast—the Gulf coast.

Mr. BENNET. Is it not a fact that the bill contains—

Mr. HARDY. If the gentleman will let me make this talk myself, I will do it. There is only one on the Gulf coast, for salt-

water fish. Then, there is one in the State of Texas in this bill for fresh-water fish.

The State of Texas is bigger than any five New England States. If my recollection serves me it is five times bigger than the State which the gentleman represents. There is one little hatchery in the middle of the State. This fish hatchery down on the coast is intended to serve all the Gulf States as well as the State of Texas, and that will be the only sea-food hatchery on the Gulf coast, as I now remember. Yet the State of New York has in fact 10 fish hatcheries and fish stations. This is a question somewhat of need as well as of deserts, even though you deserve the credit of having furnished yourselves with State hatcheries. This committee was attempting to meet conditions and to supply fish hatcheries where they were needed.

A moment ago the gentleman had the temerity to urge that Oklahoma and Texas should be served by the same fish hatchery, although Oklahoma alone is perhaps twice the size of the gentleman's State.

Now, another thing before I conclude. You have on this committee three able Members from the State of New York, who are faithful and loyal to their State; one Republican [Mr. ROWE] and two Democrats, as I remember. In the discussion before the committee those gentlemen did not believe that they should make a claptrap appeal that New York either deserved or needed an additional Federal hatchery, and they did not ask it. In addition to that, you have the Secretary of Commerce, a citizen of New York, devoted to the interests of New York; and while you did have a little bill flung in, like a rotten grain of corn into the hopper, no attention was paid to it and nobody insisted upon it or asked for it, unless I am mistaken.

Mr. BENNET. Now, will the gentleman yield?

Mr. HARDY. In a moment I will yield. The Federal Government has a main station at Cape Vincent, N. Y. Is that on Lake Ontario?

Mr. BENNET. That is on Lake Ontario.

Mr. HARDY. That is in the northern part of the State. Then you have subsidiary stations at Amherst Island, Charity Shoals, Horseshoe Island, Ogdensburg, Old Forge, Pigeon Island, Pope Mills, Sodus Point, Stony Island, and Three Mile Bay. Are all those on Lake Erie?

Mr. BENNET. They are either on Lake Ontario or Lake Champlain.

Mr. HARDY. Are none of them on the eastern shore?

Mr. BENNET. They are all fresh-water stations.

Mr. HARDY. None of those are on the eastern shore?

Mr. BENNET. As I caught the reading, none of them are.

Mr. HARDY. At least, you have there 10 substations. Now, I would like to know why it is that if you needed any station your Representatives on the committee did not call upon us for it? I think possibly one of your Members from New York has explained the situation—that your tidal waters around New York are so foul that the fish-hatching business is not successful there.

Mr. BENNET. Will the gentleman yield?

Mr. HARDY. Yes.

Mr. BENNET. The water at the east end of Long Island is just as clear as any in the world. Now, I want to ask the gentleman a question. These stations that he has named are largely stations supported by the State, are they not?

Mr. HARDY. They are all Government auxiliary stations.

Mr. BENNET. The statement was made by the chairman of the committee [Mr. ALEXANDER] that the New York stations, except at Cape Vincent, were State stations.

Mr. HARDY. They are stated in this report to be operated by the Government.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BENNET. I ask unanimous consent that the gentleman's time may be extended three minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Texas [Mr. HARDY] be extended three minutes. Is there objection?

There was no objection.

Mr. ALEXANDER. Will the gentleman yield for a correction?

Mr. HARDY. I yield to the gentleman for a correction.

Mr. ALEXANDER. The chairman of the committee did not make the statement that those were State stations. They are auxiliaries of the principal station at Cape Vincent, and are Federal stations.

Mr. BENNET. Distributing points.

Mr. ALEXANDER. The gentleman from Virginia [Mr. SAUNDERS] made the statement to which the gentleman from New York refers, but he was in error about that.

Mr. MANN. What is an auxiliary station?

Mr. ALEXANDER. These are named here as auxiliary stations.

Mr. MANN. There is no authorization of law for an auxiliary station. What is an auxiliary station?

Mr. ALEXANDER. They are stations where fish are propagated. I do not know just what they are. I know they exist.

Mr. HARDY. The report says they are fish-cultural stations. The list is headed—

Fish-cultural stations operated during the fiscal year 1916.

The report of the Commissioner of Fisheries says that the station at Cape Vincent is operated the entire year, Amherst Island in October and November, Charity Shoals in October and November, Horseshoe Island in October and November, Ogdensburg in April and May, Old Forge in November, Pigeon Island in October and November, Pope Mills in April, Sodus Point in November and December, Stony Island in November, and Three Mile Bay in November and December. They have different kinds of fish that they propagate.

Mr. BENNET. Those stations are all on Lake Ontario, fresh-water stations.

Mr. HARDY. That is what I understood the gentleman.

Mr. BENNET. Will the gentleman yield for a question?

Mr. HARDY. Yes.

Mr. BENNET. Some one on the committee made the statement that the State of New York supported some 10 State stations. That statement is correct. Now, I should like to ask the gentleman how many State stations does the State of Texas support?

Mr. HARDY. I do not think the State of Texas supports any, and I think the gentleman who said that the State of New York supported 10 stations was referring to these auxiliary stations which are really supported by the Federal Government.

Mr. PLATT. Will the gentleman yield to me for a question?

Mr. HARDY. I have only three minutes. I am yielding to the gentleman from New York [Mr. BENNET].

Mr. SAUNDERS. I was the one who made the statement in relation to these stations being State stations. That was what I understood when the statement was handed to me, but I was in error. They are under Government control.

Mr. BENNET. The gentleman is partly correct—

Mr. SAUNDERS. I have no doubt that you have State stations, but the particular ones which have been mentioned by the gentleman from Texas are not State stations. I was in error about that.

Mr. PLATT. Mr. Chairman, I move to strike out the last word. I want to say that these auxiliary stations are stations where they collect the eggs; they strip the fish and then ship the eggs to another place. They have nothing to do with the distribution of fish whatever.

Mr. HICKS. Will the gentleman yield?

Mr. PLATT. I will yield to the gentleman from New York.

Mr. HICKS. I want to make a statement in regard to the matter of the pollution of waters in Long Island Sound. I want to make a statement in regard to the flow of the waters from the city of New York. All the water that comes through Sandy Hook to the city of New York goes out again through the same channel; none of the water in Long Island Sound comes from the city of New York. There is what is called the tide rip, 8 miles east of the city. The water comes up to that tide rip and then flows back again, and all the water to the east comes in from the east and goes out the same way.

Mr. PLATT. That is true, and I know it to be true.

Mr. SAUNDERS. Mr. Chairman, I move to strike out the last two words. In reply to the question as to what are subsidiary or auxiliary stations, here is what the commissioner in that connection says in his report:

The principal stations have a permanent personnel provided by law or are operated more or less independently, although the subsidiary establishments in some cases are fully equipped and quite as important as the head station to which they are attached for convenience of administration.

Mr. MANN. Mr. Chairman, I rise in opposition to the motion of the gentleman from Virginia. Mr. Chairman, we have been told this afternoon that the proponents of this measure claim that it is in behalf of the necessity of reducing the cost of living. Here we have been in session on Monday and Tuesday and to-day. We had the honor of listening to the President of the United States yesterday deliver his annual address. The whole country is somewhat excited over the very rapid increase in the last few weeks or months of the cost of articles which go into the stomach, as well as many others which are needed for the convenience or comfort of the individual. The great Congress of the United States, said to be the greatest legislative body in the world—and it is never denied in this

body that that is the case—has met. The President of the United States has delivered his opinion concerning the state of the Union. The great Democratic Party, unfortunately successful at the recent election, in control of the Government, in a majority on my right, has finally reached the point where it proposes to do something to reduce the cost of living. With the price of necessities of life soaring in the air, with the household expenses of men and women pressing down heavily upon them, our friends propose to authorize an appropriation, not make it, which may be appropriated within a year and a half to construct a fish hatchery which can not be built within three years, and then to turn out some small fish which will not be ready to be caught for several years to come. [Laughter and applause on the Republican side.] That is the only response that either the President or the Congress has made to the demand of the people to know something about the reason for the high cost of living. [Laughter and applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HICKS].

The question was taken; and on a division (demanded by Mr. ALEXANDER) there were—ayes 50, noes 63.

Mr. HICKS. I demand tellers.

Tellers were ordered; and the Chair appointed as tellers the gentleman from New York [Mr. HICKS] and the gentleman from Missouri [Mr. ALEXANDER].

The committee again divided; and the tellers reported that there were 46 ayes and 56 noes.

So the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

State of Arizona, \$50,000.

Mr. TAYLOR of Colorado. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, following line 17, insert: "State of Colorado, \$50,000."

Mr. TAYLOR of Colorado. Mr. Speaker, the State of Colorado has a fish hatchery, established at Leadville a number of years ago, but it has never been sufficient to supply the surrounding country nor even the State of Colorado. There are only three Government hatcheries in a territory of nearly 2,000 miles, between a short distance west of the Missouri River nearly to the Pacific Ocean—one recently established in Wyoming, one in Utah, and one in Colorado. The mountain ranges are such that they can not supply them north and south, and Colorado has needed another one for many years. While the Leadville hatchery is a good one, in fact a very good one for that altitude, yet there ought to be one lower down and in a somewhat warmer climate. That hatchery supplies, as far as any hatchery could at that altitude, trout to a great many of the mountain streams. Let me say to the House that nearly everybody in the United States comes or wants to come sometime out to the mountains in Colorado to spend the summer.

I have had pending before the House for five or six years bills to construct fish hatcheries at both Durango and Glenwood Springs. My bill H. R. 32, providing for a hatchery at Durango, and H. R., I think, 31, for Glenwood Springs, were introduced on the first day of the first session of this Congress, December 6, 1915, a year ago to-day; and this committee favorably reported my bill once; but for some reason Colorado is left out of this bill. I supposed that the committee, having once favorably recommended another hatchery for Colorado, would again favor it. I saw Mr. BURKE, the chairman of the subcommittee, and inferred that Colorado would of course be in this bill, especially when the Bureau of Fisheries has officially reported on page 4 of this report that the Colorado hatchery is not sufficient to supply that territory. Our game is largely destroyed throughout the mountains, and the main outdoor sport the people have left is to go trout fishing. It is not only a sport, but the question of the high cost of living is just as acute in the West as it is in the East, and we feel that if we are to maintain the mountain trout in this country we must have more hatcheries than we have now. I may say that the State of Colorado maintains something like half a dozen good State hatcheries itself and spends a large amount of money upon them every year, and I feel that the fish industry and the fish propagation ought to be encouraged very greatly by the Government.

As a matter of fact, I would like to see every State in the Union have at least one good fish hatchery, and there are some States that ought to have several of them. States like New York, Wisconsin, Colorado, and other States advantageously located for the propagation of certain kinds of fish ought to have several of them. I feel that some Members are taking this subject with entirely too much levity. I feel that the

propagation of fish and the preservation of the fish of the country is one of the most important things that we could legislate upon. It is not a matter that ought to be treated as lightly as the distinguished leader on the other side [Mr. MANN] treated it in his remarks a few moments ago. I think the preservation of fish and the culture of fish is a serious matter, and it ought not to be brushed aside because of its not being any more far-reaching or immediate in its results than it is. All of those States ought to have a splendid, efficient fish hatchery, and if the ones they now have are not sufficient, they ought to have more. I hope my amendment will be adopted, so that Colorado may do her full share in preserving and propagating the mountain trout, which is certainly one of the finest and gamiest fish in the world.

Mr. SAUNDERS. Mr. Chairman, this amendment, like most of the amendments heretofore submitted, is not without a certain measure of merit, but Colorado is very well provided for in the matter of hatcheries. According to the statement of the gentleman from Colorado [Mr. TAYLOR] there are half a dozen State stations in Colorado. In addition there is 1 main national station in that State, and 11 auxiliary stations, of which 7 are engaged in the business of handling brook trout, so that Colorado has not been overlooked, and her wants are better provided for than perhaps is the case in any other State in the Union.

Mr. TAYLOR of Colorado. I find here on page 4 of the report of this bill this statement:

Existing hatcheries in South Dakota, Colorado, southern Texas, and Missouri can not produce enough fish to supply the local demand and stock the intervening waters.

Mr. SAUNDERS. That may be true. No State in the Union has a sufficient number of hatcheries for existing needs, but Colorado with 1 main station, 11 substations, and a half dozen State stations certainly is in no immediate need of another station. Her needs are not so crying as those of other sections.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word. This question of the distribution of fish hatcheries is not altogether a question of locality or a question of States. It is a question very largely of the needs of the country. I presume more fish hatcheries could be used in every State in the Union, especially in Colorado, but in the hearings held when we appropriated for these hatcheries that are now in existence we discovered that the Bureau of Fisheries in the Department of Commerce had a distinct policy on the subject. Their policy was to promote as far as possible the propagation of commercial fish, and not to be led any further than necessary into the propagation of fish for sport or pleasure. It seems that in Colorado they have a very important station that propagates mountain trout, and it has 11 auxiliary stations. As the gentleman from Illinois [Mr. MANN] pointed out, these auxiliary stations are established without definite authority of law, and yet in some cases they have grown to a considerable size. One in Colorado particularly serves a very large territory, and all of the territory of Colorado necessary to be served with mountain trout can be served, but the Secretary here says that his policy has been to promote and encourage and to ask Congress to encourage only the proposition of commercial fish useful for the food of a large part of the people of the country. I read from the hearings:

Secretary REDFIELD. I was coming to that, Mr. Chairman. The difficulty we are up against is always this: The pressure from the sportsmen and the private fishermen, which has resulted in establishing a number of hatcheries, and, on the other hand, the need of the great commercial fisheries adding to the food resources of the country. Now, we believe that the great commercial fisheries ought to have the preference everywhere. That is our definite policy. Now, all of these stations where the increases are made are those that deal with food supplies and the others are those which deal largely with the demands of sportsmen.

However desirable it might be to have more for the demand of sportsmen, I think the committee must have seen that 1 fish hatchery in Colorado with 11 auxiliaries was ample to supply the mountain territory of Colorado with a peculiar character of fish adapted to those streams, but that elsewhere in the United States there was a large opportunity for the development of food fish on a commercial basis that would really add to the food supply of the country. If this bill is drafted upon that plan, it does seem to me that we ought to follow as well as we can that definitely laid-out program of the Bureau of Fisheries of the Department of Commerce. We ought not simply to add these stations because they would be desirable or because they would serve some particular advantage in a particular locality. The great question is, Do they fit into the policy and recommendations of the Department of Commerce and the Bureau of Fisheries for increasing the commercial food supply of the country?

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. I am inclined to support the amendment of the gentleman from Colorado [Mr. TAYLOR], which, I think,

goes along very well with some other portions of this bill, especially that portion which provides a fish hatchery in northwestern Texas. If there is any place in the world that needs fish it is northwestern Texas. A man was traveling down in northwestern Texas not long ago and came across another who was hauling water. He asked him how far he had been hauling it, and the man replied for 3 miles. The traveler then said, "Why do you not dig a well and get water in that way?" and the man replied, "Well, it is just about as far to water in that direction as it is in the other." [Laughter.]

Mr. SLOAN. But as I understand it, the purpose of this fish hatchery in northwestern Texas is to propagate flying fish.

Mr. GREEN of Iowa. That would help some, for it would relieve the cowboys of the necessity of riding a thousand miles to the Gulf.

They can lariat these fish, I suppose, before breakfast, if there is only some water supplied. If there is any place that needs fish, I think, Mr. Chairman, it is northwest Texas, and they need water there also. I do not know whether there is any provision in this bill for supplying water. I have heard something about artesian wells in this connection. I hope they have some provision for water for northwestern Texas for the hatchery and also for Trinity River when we get on the river and harbor bill. This can easily be supplied by artesian wells at a trifling expense, but just what kind of fish—

Mr. HARDY. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. HARDY. Now that the gentleman is in a discursive humor, can the gentleman tell us whether he thinks Mars is inhabited?

Mr. GREEN of Iowa. The gentleman can answer that question for himself.

Mr. HARDY. I thought the gentleman wanted to give wide information.

Mr. GREEN of Iowa. The gentleman probably can represent Mars as well as he could some other portion of the country. If I described it he would want to put a fish hatchery there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILLIARD. Mr. Chairman, I move to strike out the last three words. Mr. Chairman, I should like to call the attention of the committee to the fact that all the world comes to Colorado to fish. In addition to producing the most gold of any other State and the best crops, the good people living in Colorado have invited the world to come out there and live during the summer and fish, and, happily, most of the people have accepted that invitation and have come. Especially have we been favored by the gentleman from New York, who spoke as rather against sportsmen, who had the pleasure of getting after the trout in our streams out there. We would like to have some more money appropriated in order that we may entertain the world when it comes there. Direct appropriations are made from time to time in Congress in order that we may entertain people who come from abroad and, it seems to me, Mr. Chairman, that it is only fair that in this distribution of appropriations, or authorizations for appropriations, that Colorado should receive some special attention. As the world war goes on there is nothing else left over there to see and Colorado alone possesses scenery which all the world is anxious to see and from time to time a large portion of it does see. We ask again serious consideration of the amendment offered by my colleague [Mr. TAYLOR]. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The question was taken and the amendment was rejected.

The Clerk read as follows:

State of Pennsylvania, Delaware, or New Jersey, on the lower Delaware River, \$50,000.

Mr. MILLER of Delaware. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 23, after the word "river," insert "or at the headwaters of the Delaware Bay," so that it will read "on the lower Delaware River or at the headwaters of the Delaware Bay, \$50,000."

Mr. MILLER of Delaware. Mr. Chairman, this amendment is unique as compared with every other amendment offered here to-day, because it does not increase the appropriation in this bill. The language in the bill concerning this particular item reads as follows:

State of Pennsylvania, Delaware, or New Jersey, on the lower Delaware River, \$50,000.

The amendment I have proposed, if adopted, will cause the language to read as follows:

State of Pennsylvania, Delaware, or New Jersey, on the lower Delaware River or at the headwaters of the Delaware Bay, \$50,000.

I propose this amendment because I think that if this bill should become a law the Secretary of Commerce should be given more jurisdiction and wider power in deciding upon a site to establish this station.

Mr. BORLAND. Will the gentleman yield?

Mr. MILLER of Delaware. I will not for the moment, if the gentleman will kindly excuse me.

At the headwaters of the Delaware Bay, which is a salt-water body, there is an ample supply of fresh water in various streams emptying into the bay and the Delaware River, which, as everyone knows, empties into the bay at its headwaters, and is a fresh-water stream. It is a well-known fact that in spawning the shad which come up the Delaware Bay and River in the spring of the year need fresh water, but it must be water that is unpolluted. The Delaware River a short distance above the headwaters of the bay is polluted by factory waste and other causes, thereby killing annually millions of young fish which are hatched from the spawning beds. This is particularly true of the shad. If the language in the bill is not changed, it will curtail the power of the Government authorities in establishing this station, should they find an advantageous site or a more advantageous locality along the shores of the Delaware Bay. I am not going to detain the House this afternoon with extensive remarks on the merits of this proposition except to say that the establishment of a fish hatchery is essential if the fishing industry, and particularly the shad industry, is to be encouraged. The shad haul, particularly in the last few seasons, has been steadily decreasing, and I could cite figures to show that the propagation of these fish at a fish-cultural station is necessary if the supply of this fish food is to be continued. I have proposed this amendment because I believe that its adoption is necessary in order to properly round out the bill. I understand that my colleague from Pennsylvania [Mr. MOORE] is opposed to this amendment. I take it he is going to follow me and ask you to vote against it; but I submit that an amendment that perfects a bill which may become a law and which does not cause an increase in the appropriation is one with merit that the committee might well consider and place in this bill. I have proposed it with no intention of creating an undue advantage in favor of my State for the proposed site. That is all I have to say about it at present.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not object to the delegation from Delaware making this argument for home consumption, but I differ from the delegation from Delaware in this [laughter], that instead of giving the Commissioner of Fisheries "wider powers," as the gentleman says, the purpose of his amendment seems to be to limit the jurisdiction and the judgment of the Commissioner of Fisheries, so that instead of giving Pennsylvania or New Jersey a chance to get this hatchery it shall be located in the State of Delaware. No one can find fault with our brilliant colleague from the State of Delaware for what he is undertaking to do. His difficulty is akin to that which arises whenever we come to a bill of this kind. The selfishness of human nature will out. Instead of permitting the Commissioner of Fisheries to exercise his wise discretion in regard to fresh water or salt water in the location of this hatchery, the gentleman from Delaware desires that the Commissioner of Fisheries shall be given instructions to locate this hatchery in the State of Delaware.

Now, it has been indicated in the literature on this subject that Pennsylvania and New Jersey will have a chance before the Commissioner of Fisheries to obtain this hatchery if those States desire to enter the competition. Evidently the purpose of the gentleman from Delaware, after Pennsylvania has gone into the net with the vote of 36 Representatives and New Jersey has gone in with the vote of 12 Representatives, is to tie that vote onto the tail of the vote of the entire delegation from the State of Delaware and cinch the hatchery. I question whether the brilliant gentleman from Delaware will be able to get away with that trick if this House and the delegation from New Jersey and Pennsylvania know themselves. I think this amendment is vicious [laughter] and ought to be voted down.

Mr. OGLESBY. Mr. Chairman, I would just like to ask the gentleman from Pennsylvania a question.

The CHAIRMAN. Will the gentleman from Pennsylvania yield to the gentleman from New York?

Mr. MOORE of Pennsylvania. If I have the time.

Mr. OGLESBY. As I understand the gentleman's position, it is that having a third of a chance in his State of having the fish hatchery there, it will get the entire delegation?

Mr. MOORE of Pennsylvania. I would not object to the State of Delaware getting a fish hatchery, but when the committee comes into the House and suggests this hatchery should go into Pennsylvania, which has 36 votes here, or in New Jersey, which has 12 votes, it seems to me the State of Delaware, which has 1 vote, ought to play fair, powerful and potential as

its delegation is in this House. The Delaware delegation should give the larger States at least a show for their white alley when the time comes to make the selection.

Mr. MANN. Mr. Chairman, I ask to have the amendment again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

Mr. MANN. Mr. Chairman, when the amendment was first reported I thought I understood it, but when my distinguished friend from Pennsylvania [Mr. Moore] addressed the committee just now, I thought that I must have been mistaken as to what it provided. But on hearing the amendment read here, I think my first understanding was correct. I was led to believe by my friend from Pennsylvania that the amendment would require that this fish hatchery should be established in Delaware and that Pennsylvania was cut out, but I learn now from hearing the amendment read again that the gentleman only is afraid that Delaware will get it on its merits, and he is unwilling to have the matter disposed of on its merits because Pennsylvania has 36 votes in the House and Delaware has only 1. [Applause.] I protest in behalf of the delegation from Pennsylvania if they take such a view as that.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. MOORE of Pennsylvania. The gentleman is not objecting to Delaware presenting this on its merits, but the gentleman is objecting to the attitude of the delegation from the State of Delaware on this present amendment.

Mr. MANN. The gentleman does not understand the amendment.

Mr. MOORE of Pennsylvania. The gentleman knows the geography of the country, which, evidently, the gentleman from Illinois does not.

Mr. MANN. I know some geography and I know the English language, and I am sure the gentleman knows both.

Mr. MOORE of Pennsylvania. Does the gentleman—

Mr. MANN. I do not yield to the gentleman until I make a little statement. The language of the amendment is to make the fish-hatchery location on the lower Delaware River or on the upper Delaware Bay, whatever it is, including the State of Pennsylvania, Delaware, or New Jersey. It does not require the location of the fish hatchery in Delaware. It leaves it open for the proper place to be selected, and if it did require it I would not be in favor of the amendment. I think the gentleman has misunderstood the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield now?

Mr. MANN. Certainly.

Mr. MOORE of Pennsylvania. The provision in the bill is sufficiently comprehensive to permit this hatchery to be located in the State of Pennsylvania on the Delaware River, in the State of New Jersey on the Delaware River, or in the State of Delaware, which is also on the Delaware River. But the gentleman from Delaware is endeavoring to limit the designation of the location of this hatchery to the headwaters of the Delaware Bay.

Mr. MANN. Not at all. The gentleman again misunderstands the amendment.

Mr. MOORE of Pennsylvania. Then what is the purpose?

Mr. MANN. He is not endeavoring to limit it to the headwaters of the Delaware Bay. He is leaving it to be located on the headwaters of the Delaware Bay or the lower Delaware River.

Mr. MOORE of Pennsylvania. What is the necessity of the gentleman's amendment? The bill is sufficiently comprehensive to cover the State of Delaware. The gentleman does not deny that. He knows geography, as he has indicated.

Mr. MANN. I take it that the bill is not sufficiently comprehensive to locate this fish hatchery on the upper Delaware Bay. It must be on the river, under the bill. Now, it may be desirable to locate it on the bay.

Mr. MOORE of Pennsylvania. May I ask the gentleman why the State of Delaware is included in the three States if it is not to be considered whenever the time comes for locating this hatchery? Does the gentleman mean to say that the Department of Commerce would not have discretion to locate this hatchery in the State of Delaware under the language of the bill?

Mr. MANN. I do not know whether they would have the discretion or not, but the question has arisen as to whether they would have the discretion. The gentleman from Pennsylvania [Mr. Moore] says they would have it. Very well. Then the amendment of the gentleman from Delaware only carries

out the impression the gentleman from Pennsylvania has. It does not change the situation at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware [Mr. Miller].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. ALEXANDER and Mr. MOORE of Pennsylvania demanded a division.

The committee divided; and there were—ayes 56, noes 59.

Mr. MOORE of Pennsylvania. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. MILLER of Delaware and Mr. MOORE of Pennsylvania to act as tellers.

The committee again divided; and the tellers reported—ayes 51, noes 30.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

State of Texas, on or along the Gulf coast, for the propagation of sea fish, \$50,000.

Mr. FOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Foss: Strike out all of section 1, down to the proviso on page 3, and insert:

"That the sum of \$500,000, or so much thereof as may be necessary, be, and the same is hereby, authorized to be appropriated for the establishment of fish-hatching and fish-cultural stations in the United States at suitable points to be selected, in the discretion of the Secretary of Commerce, including purchase of sites, construction of buildings, and equipment: *Provided*, That not more than \$50,000 shall be expended in the establishment of each station."

Mr. FOSS. Mr. Chairman, this amendment does certain things. In the first place, it provides a lump sum for the establishment of fish-hatching and fish-cultural stations, in the discretion of the Secretary of Commerce, anywhere in the United States, and not alone in the particular States enumerated in this bill.

I, from the State standpoint, have no objection to this measure. Illinois is included in the list of favored States. But when the committee or when this House designates particular States and also particular rivers and particular lakes, it raises a question in the minds of persons even here on this floor, and certainly in the mind of the public at large, that possibly the sites may have been selected in advance.

Now, for my part I do not believe it. I would not for a moment impugn the motives of the committee. But nevertheless we ought, in passing legislation here of this character, which in some quarters is called "pork-barrel" legislation, to put it on a plane above public criticism and public suspicion. [Applause.] And the way to do it is to strike out every State and every river and every lake, and to say to the Secretary of Commerce and his assistants and his experts, "You select the sites, and the whole United States is open to you." [Applause.]

I have limited this lump sum to \$500,000, which would allow the establishment of 18 stations at approximately \$25,000 each or 10 at \$50,000 each, and if any of those States which are enumerated have special advantages, why, of course, the Fish Commissioner and his experts, and the Secretary of Commerce, who is over them all, would select those sites which are especially adapted. And then in this provision I have placed the limitation upon the amount to be expended on each station at \$50,000, which is the limitation placed upon each station in this measure.

I trust, Mr. Chairman, that this provision will be adopted, because it will eliminate all criticism and will place every Member on the floor of this House upon an equal standing with every other in the eyes of his constituents and in the eyes of the country. [Applause.]

Mr. ALEXANDER. Mr. Chairman, every project recommended in this bill is the deliberate selection and choice of the Bureau of Fisheries; and, as I stated in my opening, every project included in this bill, with possibly one or two exceptions, was included in the omnibus bill reported in the last Congress. The Department has had these projects under consideration for years past. We have not passed any bills for years past, except those carried in the sundry civil appropriation bills, with possibly very few exceptions, and I think if the membership of this House favor this class of legislation, if they regard the establishment of fish hatcheries and fish-cultural stations as important to the conservation of food fishes, we should go forward now along the lines suggested by the committee who have given the question their best consideration. After having considered the needs of all the States in the Union whose claims have been presented to the committee, and acting on the advice of the Bureau of Fisheries of the Department of Commerce, we have included these

projects in this bill that are regarded of the greatest present need. And I think it would be a mistake at this time for us to depart from this policy and throw the question back to the Bureau of Fisheries or to the Department of Commerce for further consideration and appropriate a lump sum for the establishment of fish hatcheries and fish-cultural stations and leave it to the department to say where they may be located. We have the best judgment of the department before us now, and should act on it. I assume that in the event the whole subject matter is again referred to the department the logrolling process will not stop; it will simply begin. [Applause.]

Mr. FESS. Mr. Chairman and gentlemen of the House, I have favored the proposition of either extending the fish hatcheries now existing or the creation of new ones by Federal aid if we could eliminate the idea that we are getting votes for personal or State reasons; in a word, if we could put it on a National rather than a State or sectional basis, and if we could put this under the control of those who know, from expert information, the needs of the country, we could certainly eliminate this unsavory element of pork which has crept into the discussion.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield to an inquiry?

Mr. FESS. In a moment. Time and time again during the day there have been offered amendments increasing the number of stations, and we have voted against them because we are told, "If you admit that one, others will follow, and we will also have to admit them"; and when some Member stated that an important State had been omitted, the chairman replied that there had not been any bill providing for it. All of these things lead to—I do not want to use the word "suspicion"—the unsavory element or feeling that we are standing for locality. Each Member is voting from a selfish rather than a national viewpoint. I wish we could eliminate that, and I think we could do it if we would place the whole matter in the hands of the Secretary of Commerce to be determined instead of determining it by the vote of individual States here on the floor of the House. There is so much of that element, not in legislation but in what is said on the floor and carried in the press of the country, that it becomes to most of us an unsavory proposition. I would like to vote for a measure looking to find new sources of food or the increase of our known sources. I very much dislike to vote against any movement to find new foods or to increase the supply of old which would help to reduce the cost of living, but I can not get the consent of my mind to vote for a measure that seems to have been primarily arranged with the view of getting votes enough in the House to pass it rather than to put it on its merits. I notice that the chairman just now said that there is no item in the bill that has not been recommended by the Bureau of Fisheries. That ought to allay one's suspicion; but at the same time the Bureau of Fisheries, knowing the methods too often employed in omnibus legislation, might have recommended items with reference to the final vote in the House. I wish that we could eliminate that element of suspicion in toto. Why not pass this measure in the form of this amendment, placing the whole matter in the hands of the Bureau of Fisheries, and thereby eliminating the charge that it is a pork-barrel measure. The bureau is the best-informed group on the matters herein proposed and could insure both efficient and economic results in this Federal expenditure.

Mr. ALEXANDER. Will the gentleman yield?

Mr. FESS. Yes.

Mr. ALEXANDER. If it had had any of the features of a pork-barrel bill, we could have placed hatcheries enough in different States of the Union to have carried it against all possible opposition. There is no question about that. We could have included the State of New York and the State of Wisconsin; so there is no ground whatever for that suggestion.

Mr. FESS. Mr. Chairman, if there was one argument needed for the passage of this amendment, that argument is furnished by the statement of the chairman of the committee. [Applause on the Republican side.] I think we would have liked to establish the station in Wisconsin and the one on Long Island, and probably the one in Colorado, but the Members of the House are refusing to vote for these amendments, no matter how meritorious they may appear, because if you open up the bill in that way there is no limit at all, and it will be loaded down by every sort of proposal, and that is pork-barrel legislation with emphasis; for that reason it seems to me that we ought to adopt this amendment and thereby foreclose this unsavory element from the suspicion of which we can not otherwise get rid.

Mr. SMITH of Minnesota. Will the gentleman yield for a question?

Mr. FESS. If I have time.

The CHAIRMAN. The gentleman from Ohio has one-half minute remaining.

Mr. FESS. I yield to my friend from Minnesota.

Mr. SMITH of Minnesota. Do you not think the only way in which we can abolish this unsavory element is to do away with State lines? Do you not think that so long as State lines exist we will be open to the charge of passing pork-barrel legislation?

Mr. BUTLER. How are we to get rid of State lines?

Mr. FESS. In the early part of the discussion I asked the question whether there was cooperation between the State and Federal Government. The solution, it seems to me, is for the States to meet the Federal Government at least half way. At least that would be one solution. If the States do not cooperate with the Federal Government, then let the Federal Government eliminate all the State lines, so far as this legislation goes, giving the proper bureau the authority to locate the stations with reference to National needs rather than State desires.

Mr. SAUNDERS. Mr. Chairman, the gentleman from Illinois [Mr. Foss] has suggested a very easy plan by which this House can evade its responsibilities, and escape a great deal of irksome and laborious work. This plan is to appropriate a lump sum in every case before us, and leave to some other body, or functionary the task of working out every detail in connection with its expenditure. How easy it would be, to make this plan apply to every department of Government. We could appropriate a lump sum for pensions, and leave the Pension Bureau to determine the beneficiaries of this appropriation and the amount proper to be paid to us. This would save us much trouble, and doubtless effect great economies. Again we could appropriate a lump sum for rivers and harbors, and turn over to some one functionary or board the task of determining the meritorious projects, thus relieving ourselves from the troubles and annoyances incident to the passage of a river and harbor bill. We could appropriate a lump sum for the Army, leaving the Secretary of War to work out a complete plan for its application, with authority to determine our entire military policy. By applying this method in other directions, we would be able to rid ourselves of an immense amount of work and responsibility that apparently the Constitution intended should be imposed upon this body, and executed in the due discharge of our duty. I think the time has come for this body to disregard these insulting intimations that it is incapable of discharging its constitutional functions in a decent and honorable fashion, and do our plain duty in the disposition of the business of this House. The suggestion that we should shunt our work upon some other body, on the ground that we can not dispose of the public business save by pork-barrel methods, is a reflection upon this House. [Applause.]

Should we pass this amendment it would be equivalent to saying to the country that we are unwilling to do our plain duty, or to dispose of a meritorious proposition upon its merits, for fear that some penny-a-liner might suggest that there was a taint of the pork barrel in our action. A body that is afraid to act, lest it may be criticized, or its motives be impugned, will never act. [Applause.]

Mr. Chairman, I am astonished that the gentleman from Ohio [Mr. Fess] is willing to say that we should seek to escape and evade our responsibilities in the manner suggested. Let us go forward, and with the facts before us, dispose of this bill in the manner that seems just and fitting. In that way we will meet the just expectations of the public; and if in the discharge of our duty we enact a measure so plainly meritorious as the one under consideration, we need not be afraid of the intimation, from whatever quarter it may come that we have acted from unworthy, or with improper motives. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I have only a word to say upon the amendment proposed by the gentleman from Illinois [Mr. Foss]. In my judgment, to adopt it would be to take a distinct legislative step backward. We ought to do just as little of lump-sum appropriating in the House of Representatives and in the Senate as it is possible for us to do, consistently with the best public service. [Applause.] For, as has been suggested by the gentleman from Virginia [Mr. SAUNDERS] who has just spoken, if we wish to establish in this country a bureaucracy more powerful than we legislators ourselves are, all we need to do is to turn the millions of the national appropriations over to the unguided discretion of people in the executive offices. [Applause.] We abandon our duties as national legislators when we give to people in the departments the public moneys in lump sums to be expended at their discretion.

It was the duty of the committee which reported this bill to secure the opinion of the experts in the Department of Commerce and in the Bureau of Fisheries as to the merits of the respective propositions embodied in the pending bill; and that is exactly what that committee did. From reading the report

of the committee I understand that the officers of that department and of that bureau gave their unqualified approval to every provision in this bill, with the possible exception of one. Yet, notwithstanding this approval, the gentleman from Illinois [Mr. Foss], by his amendment, proposes that we shall abandon the bill and instead give hundreds of thousands of dollars to that bureau to expend in its discretion. I am opposed to a lump-sum appropriation in this case and in all other cases, except the very few where there may exist a real public emergency. [Applause.]

Mr. LENROOT. Mr. Chairman, with much of what my colleague [Mr. COOPER] has said I agree, but as between the expenditure of money through lump-sum appropriations by an administrative body that has information and facts and this Congress endeavoring to decide this question without information or facts, I am for the administrative body. [Applause.] In the public interest and in the interest of economy, in the interest of this country, rather than this body acting blindly we had better have an administrative body acting with information.

With reference to this matter I want to ask—and I assure him that I ask for information—the chairman of the committee or the gentleman from Virginia [Mr. SAUNDERS] whether during the consideration of this bill they asked the Bureau of Fisheries or the Department of Commerce for a recommendation to that committee of where throughout the United States they believed the fish-hatchery stations should be located or whether they merely referred certain bills to the Department and asked for a report upon them?

Mr. ALEXANDER. I will state to the gentleman that on different occasions, in personal conversation with Dr. Smith, of the Bureau of Fisheries, I told him that I wanted him to report those States where they thought they ought to be established, without reference to the claims of the membership of the House. I have had that policy in mind all the while and have pursued no other.

Mr. LENROOT. I do not know whether the committee has gathered the substance of the gentleman's statement or not. I want to ask him to correct me if I am incorrect. He states that he has asked the department to recommend only such bills as the department believed were necessary. My question to the gentleman was whether they had asked the department to give this committee information as to where throughout the United States they believed that stations should be located. Evidently from the gentleman's answer they have not, but they have limited their inquiry to this bureau merely to bills that have been introduced in this House and asked the bureau to distinguish between bills without reference at all to the needs of the country concerning the establishment of stations.

Mr. ALEXANDER. Mr. Chairman, I want to say that there were two bills referred to the committee from the State of Wisconsin.

Mr. LENROOT. One.

Mr. ALEXANDER. Two; and they were among the bills referred to the Department of Commerce.

Mr. LENROOT. Did the department ever make a report on those bills?

Mr. ALEXANDER. It did not.

Mr. LENROOT. Were the bills actually referred to the department?

Mr. ALEXANDER. There were 66 bills referred to the department, and these for Wisconsin were among them.

Mr. LENROOT. What was the report?

Mr. ALEXANDER. They reported in favor of 15 bills, which are included in this omnibus bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. LENROOT. Was there any report made on the Wisconsin bill?

Mr. ALEXANDER. I think not; but I assume that it was considered by the department.

Mr. LENROOT. I want to ask this further question: Is there any item in this omnibus bill that is not covered by some bill introduced by some Member? In other words, has the committee recommended a single station anywhere in the United States that was not covered by some special bill?

Mr. ALEXANDER. I think not; but I think if you will look you will see that the needs of the country are pretty well covered.

Mr. LENROOT. Did the committee consider the needs of the United States other than by bills introduced by individual Members?

Mr. ALEXANDER. It did not; we assumed that they were in a better position to know the needs of the country than the committee.

Mr. LENROOT. Now, we have the gentleman's answer, and that means, if it means anything, a pork barrel, because the gentleman admits that the committee did not consider the question on its merits, but considered the needs of the country on the proposition solely of what Members of the House wanted stations in their district.

Mr. HARDY. Mr. Chairman, I ask unanimous consent for one minute.

The CHAIRMAN. The gentleman from Texas asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, I wish to say a word in reply to what was said by the gentleman from Wisconsin [Mr. LENROOT]. If the gentleman has demonstrated anything, it is his great ability for discovering a mare's nest. There is not a section of the United States that has not had some Member alert enough to introduce a bill for a fish hatchery if that State had any possible claim. So the committee has had the whole United States before it in its investigation and has reported this bill as the most deserving set of bills introduced before the committee and the most deserving that could have been introduced.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I understood the gentleman from Missouri to say that 66 different bills were introduced at the last session and that they were all referred to the Commissioner of Fisheries. Were they all reported upon?

Mr. ALEXANDER. This committee has reported—

Mr. MANN. No; did the Commissioner of Fisheries report back to the committee on these bills?

Mr. ALEXANDER. I assume that they were all considered, but he did not report upon all of them.

Mr. MANN. Since when does an executive officer of the Government, when bills are referred to him, determine whether to report upon them or not, as he thinks best?

Mr. ALEXANDER. We referred these bills to the department with the request that it make a selection and report the bills on their merit.

Mr. MANN. I think that is not the way that this omnibus bill was created. There was no general report upon all of these bills recommending the passage of a bill providing only for those 18 items. I think the gentleman will find that the Commissioner of Fisheries, properly fulfilling the functions of his office, made a report on all of these bills that were referred to him, and that the committee took up those that it happened to see lying before it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Foss].

The question was taken; and on a division (demanded by Mr. Foss) there were—ayes 42, noes 93.

So the amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. ALEXANDER. Mr. Chairman, I move that the committee rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BARNHART, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15617, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ALEXANDER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MANN. Mr. Speaker, reserving the right to demand a separate vote, I suggest to the gentleman from Missouri [Mr. ALEXANDER] that it is now almost 5 o'clock. The previous question has been ordered upon the bill, and as there will undoubtedly be a roll call upon the bill, I suggest that it go over until to-morrow.

Mr. ALEXANDER. That will be satisfactory, but I desire to call up for consideration the Alaska fisheries bill.

Mr. MANN. That can be arranged. Mr. Speaker, I ask unanimous consent to pass over temporarily the consideration of the present bill, the previous question having been ordered upon the amendments and bill to final passage.

Mr. ALEXANDER. I have no objection to that.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that this bill be temporarily passed over until to-morrow, the previous question having been ordered?

There was no objection.

ALASKA FISHERIES.

Mr. ALEXANDER. Mr. Speaker, I call up the bill H. R. 17499, for the protection, regulation, and conservation of the fisheries of Alaska, and for other purposes, which I send to the desk and ask to have read.

The Clerk reported the bill by title.

Mr. ALEXANDER. Mr. Speaker, under the rules of the House, this bill being upon the Union Calendar, I understand that the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

The SPEAKER. Under the rule the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from California [Mr. RAKER] in the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAKER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 17499, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 17499) for the protection, regulation, and conservation of the fisheries of Alaska, and for other purposes.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Unanimous consent has been requested that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now arise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17499, the Alaska fisheries bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. STERLING was granted leave to withdraw from the files, without leaving copies, the papers in the case of Martha O. Balch, H. R. 4613, no adverse report having been made thereon.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. FINLEY (on request of Mr. BYRNES of South Carolina), indefinitely, on account of sickness.

To Mr. WILSON of Florida (on request of Mr. CLARK of Florida), indefinitely, on account of important business.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned to meet to-morrow, Thursday, December 7, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, submitting detailed estimates of additional expenditures made necessary under provisions of an act making appropriations for the naval service approved August 29, 1916, and of an act to establish a Coast Guard station on the coast of Louisiana, approved June 28, 1916 (H. Doc. No. 1413); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a communication from the Director of the Mint, submitting urgent estimates of deficiencies in appropriations for the service of the current fiscal year (H. Doc. No. 1414); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Chief of Division of Printing and Stationery of this office, submitting urgent estimate of deficiency in the appropriation for "Contingent expenses, Treasury Department, stationery," for the current fiscal year (H. Doc. No. 1415); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimates of appropriations for contingent expenses, War Department, and stationery, War Department (H. Doc. No. 1416); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, submitting an estimate of deficiency in the appropriation, "Distinctive paper for United States securities," for the fiscal year 1917 (H. Doc. No. 1417); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Postmaster General, transmitting a statement showing the required information regarding typewriting machines purchased and exchanged by the Post Office Department during the fiscal year 1916 (H. Doc. No. 1418); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Attorney General, transmitting a statement of expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1916 (H. Doc. No. 1419); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

8. A letter from the Secretary of Agriculture, transmitting a detailed statement showing the place, quantity, and price of seeds purchased and the dates of purchase, as required by the Agricultural appropriation act, approved March 4, 1916 (H. Doc. No. 1420); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

9. A letter from the Secretary of Agriculture, transmitting a statement showing the sums paid from the funds allotted to the Bureau of Chemistry for compensation of or payment to officers or other persons employed by State, county, or municipal governments during the fiscal year 1916 (H. Doc. No. 1421); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

10. A letter from the president of the United States Civil Service Commission, transmitting a statement showing in detail what officers and employees of the commission have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1916 (H. Doc. No. 1422); to the Committee on Reform in the Civil Service and ordered to be printed.

11. A letter from the Superintendent of Library Building and Grounds, transmitting information required by section 5 of the deficiency act approved March 4, 1915, regarding purchases of typewriting machines and exchanges made in part payment therefor by the Library of Congress during the fiscal year 1916 (H. Doc. No. 1423); to the Committee on Appropriations and ordered to be printed.

12. A letter from the secretary of the Excise Board for the District of Columbia, transmitting annual report for the fiscal year ending June 30, 1916 (H. Doc. No. 1424); to the Committee on the District of Columbia and ordered to be printed.

13. A letter from the Acting Secretary of the Treasury, submitting deficiency estimates for wages and contingent expenses of the United States mint at Philadelphia (H. Doc. No. 1425); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of Agriculture, transmitting a statement showing the exchange of typewriters, adding machines, and other similar labor-saving devices in the Department of Agriculture for the fiscal year 1916 (H. Doc. No. 1426); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Secretary of Agriculture, transmitting a statement showing, for the fiscal year 1916, the motor-propelled and horse-drawn passenger-carrying vehicles and motor boats purchased by the Department of Agriculture for use outside of the District of Columbia, and the cost of maintenance thereof (H. Doc. No. 1427); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

16. A letter from the Secretary of the Interior, transmitting copy of letter from Messrs. Daly, Hoyt & Mason, counselors at law, of New York, N. Y., inclosing a report of the operations of the Maritime Canal Co., of Nicaragua, in accordance with section 6 of the act of Congress approved February 20, 1889 (H. Doc. No. 1428); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

17. A letter from the Assistant Secretary of Labor, transmitting a statement of typewriters, adding machines, and other

labor-saving devices exchanged in part payment for new machines during the fiscal year ended June 30, 1916 (H. Doc. No. 1429); to the Committee on Appropriations and ordered to be printed.

18. A letter from the Assistant Secretary of Labor, transmitting detailed statements of expenditures from the appropriations "Contingent expenses, Department of Labor, 1914," for the period from December 1, 1915, to June 30, 1916; "Contingent expenses, Department of Labor, 1915," for the period from December 1, 1915, to November 22, 1916; and "Contingent expenses, Department of Labor, 1916," for the period from July 1, 1915, to November 22, 1916 (H. Doc. No. 1430); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

19. A letter from the Secretary of the Treasury, transmitting the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1916 (H. Doc. No. 1431); to the Committee on Ways and Means and ordered to be printed.

20. A letter from the Assistant Secretary of Labor, transmitting statement of travel performed during the fiscal year ended June 30, 1916, by officers and employees of the Department of Labor on official business from Washington, D. C., to the points outside of the District of Columbia (H. Doc. No. 1432); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

21. A letter from the Postmaster General, transmitting annual report of the operations of the Postal Savings System for the fiscal year ended June 30, 1916 (H. Doc. No. 1433); to the Committee on the Post Office and Post Roads and ordered to be printed.

22. A letter from the Acting Secretary of the Treasury, transmitting a report of the contingent expenses of the Treasury Department for the fiscal year ended June 30, 1916 (H. Doc. No. 1434); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Secretary of Agriculture, transmitting a detailed statement of the manner in which the appropriation "Miscellaneous expenses, Department of Agriculture, 1916," has been expended (H. Doc. No. 1435); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

24. A letter from the Public Printer, transmitting a statement relative to purchase, exchange, and repair of typewriting machines in the Government Printing Office, covering the period from July 1, 1915, to June 30, 1916 (H. Doc. No. 1436); to the Committee on Appropriations and ordered to be printed.

25. A letter from the Secretary of Commerce, transmitting a complete set of general rules and regulations prescribed by the Board of Supervising Inspectors, Steamboat-Inspection Service, and a copy of circular letter containing amendments of the regulations adopted by the executive committee of the Board of Supervising Inspectors (H. Doc. No. 1437); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

26. A letter from the Secretary of Agriculture, transmitting a detailed report of the publications received and distributed by that department during the fiscal year ended June 30, 1916 (H. Doc. No. 1438); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

27. A letter from the Secretary of Agriculture, transmitting a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1916 (H. Doc. No. 1439); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

28. A letter from the Secretary of Agriculture, transmitting a statement showing in detail the travel from Washington to points outside of the District of Columbia performed by officers and employees of the Department of Agriculture during the fiscal year 1916 (H. Doc. No. 1440); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

29. A letter from the Assistant Secretary of Labor, transmitting an itemized report of the actual expenditures during the fiscal year 1916, from the appropriations, "Miscellaneous expenses, Bureau of Naturalization, 1914," "Miscellaneous expenses, Bureau of Naturalization, 1915," and "Miscellaneous expenses, Bureau of Naturalization, 1916" (H. Doc. No. 1441); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

30. A letter from the Secretary of Commerce, transmitting a petition from the employees of the Bureau of Foreign and Domestic Commerce and also the employees of the Coast and Geodetic Survey, both of this department, requesting an increase in salaries of the classified employees in the Government serv-

ice (H. Doc. No. 1442); to the Committee on Appropriations and ordered to be printed.

31. A letter from the president of the United States Civil Service Commission, transmitting a statement showing, typewriters, adding machines, and other similar labor-saving devices purchased during the fiscal year 1916 (H. Doc. No. 1443); to the Committee on Appropriations and ordered to be printed.

32. A letter from the acting chairman of the Federal Trade Commission, transmitting report of typewriters, adding machines, and other similar labor-saving devices exchanged during the fiscal year ended June 30, 1916 (H. Doc. No. 1444); to the Committee on Appropriations and ordered to be printed.

33. A letter from the Secretary of War, transmitting information as to number of members of the National Guard taken into the service of the United States, who are recruits without previous military service, as requested in House resolution 326, Sixty-fourth Congress, first session (H. Doc. No. 1445); to the Committee on Military Affairs and ordered to be printed.

34. A letter from the Secretary of Commerce, calling attention to certain items in estimates of appropriations for the Lighthouse Service for the fiscal year 1918 which have not been authorized by Congress, and requesting that the necessary authority be enacted into law (H. Doc. No. 1446); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LA FOLLETTE, from the Committee on the Public Lands, to which was referred the bill (S. 1792) for the relief of settlers on unsurveyed railroad lands, reported the same without amendment, accompanied by a report (No. 1207), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 18181) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 1206), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 18182) to authorize the Secretary of State to enter into negotiations with the Republic of Chile for the purpose of entering into a convention for the settlement of all claims owned by citizens of the United States against the Republic of Chile and by citizens of the Republic of Chile against the United States of America; to the Committee on Foreign Affairs.

By Mr. RAKER: A bill (H. R. 18183) for the support and education of the Indian pupils at the Fort Bidwell Indian School, Cal.; for repairs and improvements, erecting new buildings and furnishing the same, and for other purposes; to the Committee on Indian Affairs.

By Mr. CARLIN: A bill (H. R. 18184) to authorize the Washington & Old Dominion Railway Co. to acquire by purchase or condemnation the land and property necessary for terminal facilities and trackage in the District of Columbia, at or near Thirty-fourth and M Streets NW.; to the Committee on the District of Columbia.

By Mr. RAKER: A bill (H. R. 18185) for the support and education of the Indian pupils at the Greenville Indian School, Cal.; for repairs and improvements; for new school building, erecting building and furnishing the same; for installation of laundry and equipment, and for other purposes; to the Committee on Indian Affairs.

By Mr. CAMPBELL: A bill (H. R. 18186) to conserve the supply of boots, shoes, and manufactured leather goods and leather of the United States and to protect the people from extortionate prices by temporarily prohibiting the export of the same; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 18187) to conserve the supply of print paper of the United States and to protect publishers of news-

papers from extortionate prices by temporarily prohibiting the export of print paper; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: A bill (H. R. 18188) to increase the wages, of employees of the United States Government, District of Columbia, or either House of Congress; to the Committee on Reform in the Civil Service.

By Mr. FOSTER: A bill (H. R. 18189) authorizing the Secretary of War to deliver one mounted bronze cannon on carriage to city of Lawrenceville, Ill.; to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 18190) for the control, regulation, and use of the waters of the Niagara River below Niagara Falls, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DILL: A bill (H. R. 18191) to make public all income-tax returns of persons who pay an income tax to the Federal Government; to the Committee on Ways and Means.

By Mr. PARK: A bill (H. R. 18192) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898, and all amendments thereto; to the Committee on the Judiciary.

By Mr. KINKAID: A bill (H. R. 18193) to establish a fish-cultural station in the State of Nebraska; to the Committee on the Merchant Marine and Fisheries.

By Mr. McKINLEY: A bill (H. R. 18194) for the purchase of a site and erection of a public building thereon at Shelbyville, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. POWERS: A bill (H. R. 18195) to increase the pensions of the blind who served in the War with Mexico or the Civil War; to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 18196) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. BORLAND: Resolution (H. Res. 389) directing the Federal Trade Commission to investigate and report to the House of Representatives the facts relating to the production, marketing, and distribution of food products in the United States, together with any violations of the antitrust laws in connection therewith, and recommendations for greater economy and efficiency in the marketing of food products and the punishment and prevention of extortion in the prices thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. LLOYD: Resolution (H. Res. 390) to pay Helen Sherman; to the Committee on Accounts.

By Mr. DILL: Joint resolution (H. J. Res. 311) authorizing the Attorney General to make an immediate investigation to determine the cause or causes of the unreasonable advances in the prices of foodstuffs, fabrics, paper, fuel, and clothing, and report the facts as to differences between prices paid to producer and paid by consumer for same; to the Committee on Interstate and Foreign Commerce.

By Mr. SWIFT: Joint resolution (H. J. Res. 312) to convey the thanks of Congress to officials of the fire department of the Greater City of New York, and through them to the officers and crews of the fire boats of said department, for the prompt and heroic service rendered by them in rescuing lives and salvaging property at the explosion and fire at Black Tom Pier, Jersey City, N. J., July 30, 1916; to the Committee on the Merchant Marine and Fisheries.

By Mr. LINDBERGH: Concurrent resolution (H. Con. Res. 64) for joint action of Congress and the President to secure peace among the nations, and in the event of failure to so regulate the industries and business of the people as to relieve them of the burden of the wars; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 18181) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House and ordered to be printed.

By Mr. ADAIR: A bill (H. R. 18197) granting an increase of pension to John F. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18198) granting an increase of pension to Miles C. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18199) granting an increase of pension to Barney Everett; to the Committee on Invalid Pensions.

By Mr. ADAMSON: A bill (H. R. 18200) granting an increase of pension to John W. Newton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18201) granting an increase of pension to Franklin Keen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18202) granting an increase of pension to James Hobbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18203) granting an increase of pension to Michael Fivecoats; to the Committee on Invalid Pensions.

By Mr. BARKLEY: A bill (H. R. 18204) granting an increase of pension to Samuel Plumb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18205) granting an increase of pension to Samuel Gaines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18206) granting an increase of pension to Franklin R. Beamon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18207) granting an increase of pension to Nathaniel Gott; to the Committee on Invalid Pensions.

By Mr. BENNET: A bill (H. R. 18208) for the relief of Horatio McIntire; to the Committee on Military Affairs.

Also, a bill (H. R. 18209) to add the name of Joseph J. Esterbrook to the Army and Navy medal of honor roll; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 18210) granting an increase of pension to Perry J. Hainey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18211) granting an increase of pension to Samuel M. Carson; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 18212) granting an increase of pension to Marsha E. Towles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18213) granting a pension to Fred F. Bennett; to the Committee on Pensions.

Also, a bill (H. R. 18214) granting an increase of pension to David Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18215) granting an increase of pension to Dzonra Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18216) granting an increase of pension to John C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18217) granting an increase of pension to Charles H. Smith; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 18218) granting an increase of pension to Alfred C. Mullinax; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18219) granting an increase of pension to Solomon Kessinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18220) granting an increase of pension to William R. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18221) granting an increase of pension to William Jones; to the Committee on Invalid Pensions.

By Mr. CONNELLY: A bill (H. R. 18222) granting an increase of pension to Isaac N. Estep; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 18223) granting an increase of pension to William A. Ice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18224) granting an increase of pension to Stith M. Carter; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 18225) granting an increase of pension to Francis M. Steele; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 18226) granting an increase of pension to George W. Miller; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 18227) granting a pension to Arabella Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18228) granting a pension to Hiram C. Barrows; to the Committee on Invalid Pensions.

By Mr. FARLEY: A bill (H. R. 18229) granting a pension to Anna Margaret Venus; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 18230) granting a pension to Maria Coggins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18231) granting a pension to Benjamin Hughes; to the Committee on Pensions.

Also, a bill (H. R. 18232) granting an increase of pension to Harriett Karr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18233) granting an increase of pension to Joseph M. Alexander; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 18234) granting a pension to Katharine McCormick; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 18235) granting a pension to Charles V. D. Blackmar; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 18236) granting an increase of pension to Sarah M. Speer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18237) granting a pension to Edward F. Locker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18238) granting an increase of pension to Albert Downing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18239) granting an increase of pension to Cordelia J. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18240) granting an increase of pension to George A. C. Coffey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18241) granting an increase of pension to Charles Aldrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18242) granting an increase of pension to William Himes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18243) granting a pension to Martha A. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18244) granting an increase of pension to A. L. Byers; to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 18245) granting a pension to Anna Frohs; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 18246) granting an increase of pension to John F. Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18247) granting a pension to Manella A. Eastman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18248) granting an increase of pension to John P. Hodgkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18249) granting an increase of pension to Theodore Dutra; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18250) granting a pension to Edward C. Danforth; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 18251) granting an increase of pension to Benjamin Foust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18252) granting an increase of pension to Abel G. Morse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18253) granting an increase of pension to William T. Slocum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18254) granting an increase of pension to Lewis H. McChesney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18255) granting an increase of pension to Elizabeth Franz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18256) granting an increase of pension to Nancy S. Kibler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18257) granting an increase of pension to James L. Doris; to the Committee on Pensions.

Also, a bill (H. R. 18258) granting an increase of pension to Laura E. Elliott; to the Committee on Pensions.

By Mr. GOULD: A bill (H. R. 18259) granting an increase of pension to Alpheus Demond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18260) granting an increase of pension to Henry C. Beeman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18261) granting an increase of pension to Lottie E. Newell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18262) granting an increase of pension to Jonathan Carr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18263) granting an increase of pension to John W. Whitbeck; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 18264) granting an increase of pension to Franklin Williams; to the Committee on Pensions.

Also, a bill (H. R. 18265) granting a pension to Annie Garner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18266) granting an increase of pension to Abraham Cooper; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 18267) granting an increase of pension to Washington Foss; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 18268) granting an increase of pension to John A. Medley; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 18269) granting an increase of pension to William Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18270) granting an increase of pension to S. B. Johnson; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 18271) granting a pension to James A. Swain; to the Committee on Pensions.

Also, a bill (H. R. 18272) granting an increase of pension to Alvin G. Woodworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18273) granting an increase of pension to William Douglas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18274) granting an increase of pension to Jefferson D. Williams; to the Committee on Pensions.

Also, a bill (H. R. 18275) granting an increase of pension to Andrew J. Lee; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 18276) granting a pension to Margaret A. Wells; to the Committee on Pensions.

Also, a bill (H. R. 18277) granting an increase of pension to Christopher Hummel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18278) granting an increase of pension to William C. McKelvy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18279) granting a pension to William H. Hopkins; to the Committee on Pensions.

Also, a bill (H. R. 18280) granting an increase of pension to Abraham Rhodes; to the Committee on Invalid Pensions.

By Mr. KELLEY: A bill (H. R. 18281) granting a pension to William E. Sloane; to the Committee on Pensions.

Also, a bill (H. R. 18282) granting a pension to Martha P. Malcomson; to the Committee on Invalid Pensions.

By Mr. KINCHELOE: A bill (H. R. 18283) granting an increase of pension to Henry Barr; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 18284) granting an increase of pension to Thomas Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18285) granting an increase of pension to Nancy A. Lantz; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 18286) for the relief of Charles E. Thompson; to the Committee on Military Affairs.

Also, a bill (H. R. 18287) granting an increase of pension to James E. Webb; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 18288) granting an increase of pension to Jane M. Spidel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18289) granting an increase of pension to Nicholas Wolf; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 18290) granting a pension to Retta H. Lore; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 18291) for the relief of the heirs of A. M. Riser, deceased; to the Committee on Claims.

By Mr. LEWIS: A bill (H. R. 18292) to grant an increase of pension to James T. Rolf; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 18293) granting an increase of pension to Otis H. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18294) granting a pension to John A. Schreck; to the Committee on Pensions.

Also, a bill (H. R. 18295) granting a pension to Leonard Ripple; to the Committee on Pensions.

Also, a bill (H. R. 18296) granting a pension to Albert A. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 18297) granting a pension to Walter Sewell; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 18298) granting an increase of pension to Mary Alice Brightwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18299) granting an increase of pension to William R. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18300) granting an increase of pension to Henry M. Cottrill; to the Committee on Invalid Pensions.

By Mr. LOFT: A bill (H. R. 18301) granting a pension to John R. Crayton; to the Committee on Pensions.

Also, a bill (H. R. 18302) granting a pension to Pauline K. Boden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18303) granting a pension to Elizabeth A. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18304) granting a pension to Sarah K. Arnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18305) granting an increase of pension to Erasmus Bucy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18306) granting an increase of pension to John Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18307) granting an increase of pension to Cornelius Dorsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18308) granting an increase of pension to Dorothy Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18309) granting an increase of pension to Andrew J. Gaskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18310) granting an increase of pension to Amelia D. Grove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18311) granting an increase of pension to Benjamin Aplin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18312) granting an increase of pension to Elias Baker; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 18313) granting an increase of pension to Florence S. L'Hommiedieu; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18314) granting a pension to Loren Bishop; to the Committee on Pensions.

Also, a bill (H. R. 18315) granting an increase of pension to Annie E. Doss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18316) granting an increase of pension to Martha Sollenberger; to the Committee on Invalid Pensions.

Br. Mr. McANDREWS: A bill (H. R. 18317) for the relief of W. L. Clifford, formerly a letter carrier, now a clerk in the service of the Post Office Department of the United States; to the Committee on Claims.

Also, a bill (H. R. 18318) granting an increase of pension to John K. McBain; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 18319) granting a pension to Deborah Nash; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 18320) granting an increase of pension to Andrew Glenn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18321) granting an increase of pension to Samuel L. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18322) granting an increase of pension to Hugh S. Stanley; to the Committee on Invalid Pensions.

By Mr. MAGEE: A bill (H. R. 18323) granting a pension to Charlotte A. Lansing; to the Committee on Invalid Pensions.

By Mr. MEEKER: A bill (H. R. 18324) for the relief of Mrs. E. W. Sankey; to the Committee on War Claims.

By Mr. NEELY: A bill (H. R. 18325) granting an increase of pension to Felix Dodd; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 18326) for the relief of George S. Boutwell; to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 18327) granting an increase of pension to James Chadwick; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 18328) granting an increase of pension to Emily Hughes Burch; to the Committee on Pensions.

Also, a bill (H. R. 18329) granting an increase of pension to John Doss; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 18330) granting a pension to Byron S. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18331) granting a pension to Sarah Lyon Brundage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18332) granting an increase of pension to William H. Farrar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18333) granting an increase of pension to Thomas Jenkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18334) granting a pension to Rudolph Allmers; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 18335) granting a pension to T. J. Hurlbut; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 18336) granting an increase of pension to Charles Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18337) granting an increase of pension to Lora Milliken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18338) granting an increase of pension to Joel N. Andrews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18339) granting an increase of pension to Josephine De Groat; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 18340) granting an increase of pension to Joseph Davis; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 18341) granting a pension to George M. Erwin; to the Committee on Pensions.

Also, a bill (H. R. 18342) for the relief of Andrew L. Meadows; to the Committee on Military Affairs.

By Mr. RUSSELL of Ohio: A bill (H. R. 18343) granting a pension to Albert Haines; to the Committee on Pensions.

Also, a bill (H. R. 18344) granting a pension to Alfred J. Yarber; to the Committee on Pensions.

Also, a bill (H. R. 18345) granting an increase of pension to Uriah J. Favorite; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 18346) granting an increase of pension to Valentine B. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18347) granting an increase of pension to Simeon G. Hubbard; to the Committee on Pensions.

Also, a bill (H. R. 18348) granting an increase of pension to Charles Grant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18349) granting an increase of pension to Henry C. McClintick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18350) granting an increase of pension to Edward H. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18351) granting an increase of pension to Wilsey E. Sivers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18352) granting an increase of pension to Margaret Umphenour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18353) granting an increase of pension to John M. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18354) granting an increase of pension to Joseph Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18355) granting an increase of pension to Jefferson W. Lewelling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18356) granting an increase of pension to Thomas Carrigg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18357) granting a pension to Marie Viglini; to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 18358) granting an increase of pension to Samuel G. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18359) granting an increase of pension to Alexander Lewis; to the Committee on Invalid Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 18360) granting an increase of pension to Alfred D. Collier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18361) granting an increase of pension to Alvin Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18362) granting an increase of pension to William H. Rickman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18363) granting a pension to Mrs. Louisa Powell; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 18364) granting an increase of pension to Ann Bates; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 18365) granting an increase of pension to George W. Kilpatrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18366) granting an increase of pension to Jacob Bachman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18367) granting an increase of pension to William N. Butler; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 18368) granting an increase of pension to Jesse Walters; to the Committee on Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 18369) granting an increase of pension to Joseph Scattergood; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 18370) granting an increase of pension to William Vaughn; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 18371) granting an increase of pension to George F. Chambers; to the Committee on Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 18372) granting a pension to Mrs. Mary Brown Point; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18373) granting a pension to Martha Coe De Witt; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Memorial of National Live Stock Shippers' Protective League, relative to regulation of rates on intrastate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BAILEY: Petitions of Local Union No. 2233, Beaverville; Local Union No. 1056, Gallitzin; Local Union No. 1294, Lilly; Local Union No. 1269, Elmora; Local Union No. 1992, Amsbury; Local Union No. 3084, Six-Mile Run; Local Union No. 1043, Portage; Local Union No. 472, South Fork; Local Union No. 1396, Nanty Glo; Local Union No. 95, Defiance; Local Union No. 616, Hastings; and Local Union No. 3068, Dysart, United Mine Workers of America, all in the State of Pennsylvania, favoring immediate investigation of the excessive prices of foodstuffs; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCKNER: Petition of Henry F. O'Brien, of New York, favoring passage of the Nolan bill, House bill 11876; to the Committee on Labor.

Also, petition of National Association Surviving Union Volunteer Officers of the Civil War, favoring passage of the volunteer officers' retired list bill; to the Committee on Military Affairs.

Also, petition of sundry citizens of New York, favoring passage of post-office pension bill; to the Committee on the Post Office and Post Roads.

Also, petition of the United Anglers' League, favoring passage of House bill 14120, for a Long Island hatchery; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Arthur D. Webb, favoring passage of House bill 15312, to fix the compensation of inspectors of customs at the port of New York; to the Committee on Expenditures in the Treasury Department.

By Mr. BRUMBAUGH: Petition of City Council of Columbus, Ohio, favoring embargo on shipment of foodstuffs to Europe; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGAN: Memorial of Atlantic Deeper Waterways Association, relative to intracoastal waterway along Atlantic seaboard; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of Chamber of Commerce of Rome, Ga., favoring an embargo on the exportation of food products; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Paint, Oil, and Varnish Association, favoring the Stephens-Ashurst bill for fixed prices, etc.; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany a bill granting a pension to Anna Froles; to the Committee on Invalid Pensions.

Also, petition of Moran & Hastings Manufacturing Co., of Chicago, Ill., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. HILL: Petition of William P. Holmes and others, of Bridgeport, Conn., against sectarian appropriations; to the Committee on the Judiciary.

Also, memorial of Men's Assembly of First Methodist Episcopal Church of Bridgeport, Conn., favoring House bill 3107, to forbid interstate transmission of race-gambling bets; to the Committee on the Judiciary.

Also, petition of William P. Holmes and others, of Bridgeport, Conn., against sale, manufacture, etc., of intoxicating liquors; to the Committee on the Judiciary.

Also (by request), memorial of Men's Assembly of First Methodist Episcopal Church of Bridgeport, Conn., favoring Federal motion-picture commission; to the Committee on Education.

By Mr. KAHN: Memorial of California State Federation of Labor, protesting against increased cost of white paper for newspaper use; to the Committee on Rules.

Also, memorial of California State Federation of Labor, favoring retirement legislation for aged employees of Federal Government; to the Committee on Reform in the Civil Service.

Also, memorial of Corona Club and Voltoria Colonna Club, of San Francisco, Cal., favoring the Kent bill (House bill 11864) for Federal aid for nonresident tuberculosis patients; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Dr. William C. Hassler, of San Francisco, Cal., favoring House bill 193 for national leprosum; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Vallejo (Cal.) Trades and Labor Council, favoring embargo on shipments of foodstuffs to Europe; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Building Trades Council of San Francisco, Cal., favoring a Federal investigation of the high cost of living; to the Committee on Rules.

Also, memorial of California State Federation of Labor, relative to Alaska salmon-fishing industry and the welfare of the workmen employed therein; to the Committee on the Merchant Marine and Fisheries.

By Mr. McCLINTIC: Petition of sundry citizens of the United States, favoring House joint resolution 264; to the Committee on Rules.

By Mr. MAGEE (by request): Petitions of 28 citizens of Onondaga County, N. Y.; also, 66 citizens of Onondaga County, N. Y., for a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. RIORDAN: Petition for increase of pay of members of the stenographers and typewriting corps of the New York Navy Yard; to the Committee on Naval Affairs.

By Mr. SNELL: Resolution of the Northern New York Development League, urging the passage of the Webb bill; to the Committee on Interstate and Foreign Commerce.

By Mr. NORTH: Petitions of Local Union No. 1295, United Mine Workers of America, Glen Campbell, Pa., representing 200 members; Local Union No. 673, United Mine Workers of America, Soldier, Pa., representing 400 members; Local Union No. 738, United Mine Workers of America, Coal Glen, Pa., representing 100 members; Local Union No. 626, United Mine Workers of America, Desire, Pa., representing 265 members; and Local Union No. 1310, United Mine Workers of America, Wals-ton, Pa., representing 163 members, praying for the appointment of a commission to proceed to devise ways and means to restore the food prices back to something near normal; to the Committee on Rules.

By Mr. WATSON of Pennsylvania: Petition of John Van Ness and others, of Narberth, Pa., favoring amendment abolishing polygamy; to the Committee on the Judiciary.

Also, petitions of E. T. Batting and 56 other citizens of Montgomery County, Pa., and also petition of Thomas L. Heston and 35 other citizens of Montgomery County, Pa., for an embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, December 7, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee at the beginning of a new legislative day and lift our hearts to Thee for guidance and blessing. May we begin the duties of this day with a consciousness of the Divine presence. We thank Thee for the spirit of prayer that has been among the people, and for the spirit of men and women who have ever kept in touch with God and kept alive a sense of the Divine providence and leadership with us as a people. We pray that in a spirit of reverence and godly fear we may perform the duties of this day. For Christ's sake. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. THOMPSON. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. SMOOT. I should like to have the Journal read this morning.

The VICE PRESIDENT. There is objection. The reading will be proceeded with.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

SENATOR FROM CONNECTICUT.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Connecticut certifying to the election of GEORGE P. McLEAN as a Senator from that State for the term beginning March 4, 1917, which will be read.

The certificate was read and ordered to be placed on the files of the Senate, as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1916, GEORGE P. McLEAN was duly chosen by the qualified electors of the State of Connecticut a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1917.

Witness: His excellency our governor, MARCUS H. HOLCOMB, and our seal hereto affixed at Hartford, this 6th day of December, in the year of our Lord 1916.

By the governor:

[SEAL.]

MARCUS H. HOLCOMB,
Governor.

By his excellency's command:

CHARLES D. BURNES, Secretary of State.

COMMITTEE SERVICE.

Mr. GALLINGER was, on his own motion, excused from further service upon the Committee on Pacific Railroads.

Mr. PAGE was, on his own motion, excused from further service upon the Committee on Indian Affairs.

On motion of Mr. LODGE, it was

Ordered, That Mr. JAMES E. WATSON, Senator from Indiana, be appointed to the following committees: Commerce, Indian Depredations, Pacific Railroads, Transportation Routes to the Seaboard, and Revolutionary Claims.

Ordered, That Mr. BERT M. FERNALD, Senator from Maine, be appointed to the following committees: Claims, Fisheries, Pacific Islands and Porto Rico, Public Buildings and Grounds, Coast Defenses, and Indian Affairs.

REPORT OF THE PUBLIC HEALTH SERVICE (H. DOC. NO. 1493).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year 1916, which was referred to the Committee on Public Health and National Quarantine and ordered to be printed.

ANNUAL REPORT OF THE ATTORNEY GENERAL (H. DOC. NO. 1483).

The VICE PRESIDENT laid before the Senate the annual report of the Attorney General of the United States for the fiscal year 1916, which was referred to the Committee on the Judiciary and ordered to be printed.

PURCHASE OF VEHICLES (H. DOC. NO. 1427).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the number of motor-propelled and horse-drawn passenger vehicles and motor boats purchased by the department for use outside the District of Columbia for the fiscal year 1916, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EXCHANGE OF TYPEWRITERS (H. DOC. NO. 1426).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant